

English Liberty :

O R, T H E

British L I O N roused ;

Containing the Sufferings of

John Wilkes, Esq;

[F R O M T H E

First of his Persecution,

Down to this

P R E S E N T T I M E.

V O L. II.

Printed for T. MARSH, in Black Friars;
And sold by all the News Carriers in Town
and Country. 1769.

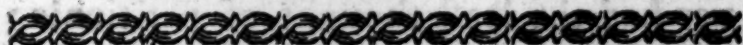


English Liberty:

OR, THE

Sufferings of John Wilkes,

Esq; Knight of the Shire for the County
of MIDDLESEX.



Sir William Beauchamp Proctor's
Address.

To the Gentlemen, Clergy, and Free-
holders of the County of Middlesex.

Gentlemen,

I Did not presume to offer myself again
as a candidate for the county, until I
knew it would be agreeable to a great
number

number of its constituents. Happy am I to find that I have so great encouragement. It is not a seat in parliament that I covet so much as the honour of representing so respectable a county, which I have had the peculiar pleasure to do in three successive parliaments, in which I was ever assiduous of shewing my duty to the King, and preserving the rights and liberties of my fellow-subjects. This emboldens me again to solicit your votes and interest on the day of election, assuring you that I never had the least thought of petitioning against any former election, which has been unkindly reported; and if I have the honour to be chose your representative, shall endeavour to merit the favour by the uprightness of my actions, and by a constant attention to the trade and welfare of this county.

W. BEAUCHAMP PROCTOR.

N. B. I shall pay my personal respects the first opportunity, and in my
canvass

canvass if I should omit waiting on any freeholders, hope they will not attribute it to neglect, but to the want of a correct list.

Mr. Serjeant Glynn's second
Address.

To the Gentlemen, Clergy, and
Freeholders of the County of
MIDDLESEX.

GENTLEMEN,

IT is time I should return you my warmest thanks for the generous encouragement you have given me, and the disinterested support I have met with in the course of a most successful canvass. I am bound to you by the strongest ties of gratitude; and I promise to exert myself to the utmost, in order to strengthen and to vindicate such of your rights as have been already invaded, and to oppose vigorously all such attempts for the future.

I am doubly bound to this, because your exertion in my behalf does not proceed from any family connections, from any personal acquaintance, or private favours, but from the great principles of legal liberty and constitutional freedom. With such support I entertain the greatest hope of success; nor shall any consideration make me lay aside these hopes, till the sheriffs shall have finally closed the poll at Brentford. Whatever may be the event of that day, whether I shall be so happy to be chosen your representative, or not, I will endeavour through life not to disappoint your expectations; nor will I ever desert the cause of the people. I will persevere stedfastly in my duty to my King and country, unawed by power, uninfluenced by any offer of interests or honours.

I must intreat those gentlemen to whom I have not yet made a personal application, to excuse the delay. It is my intention, the earliest opportunity, to wait on every freeholder in the county.

If

If I should omit any in the course of my convass, I hope it will be imputed to the peculiar difficulty I find of getting compleat lists.

Permit me to entreat the continuance of your favour, and your appearance for me at Brentford on the day of election.

I am, GENTLEMEN,

Your most obedient, and faithful

Humble servant,

JOHN GLYNN.

Sir William Beauchamp Proctor's
second Address

To the Gentlemen, Clergy, and Freeholders of the County of Middlesex.

Gentlemen,

I TAKE the first opportunity of acquainting you, that the election of a member for this county is now fixed for

for Thursday the 8th of December, when I hope for the continuance of your friendship, and your appearance in my favour at Brentford. The pleasing prospect of success, which I have reason to form to myself from the very generous reception you have given me in the course of a long depending canvass, will, I flatter myself, be crowned on that day with the distinguished honour of being chosen a Fourth Time to serve the Freeholders of Middlesex in Parliament. To be entrusted by you, was the height of my ambition twenty years ago; and it is now my pride, that in a long period of services, there has not intervened a moment when I did not feel the warmest gratitude and attachment to my constituents. I have been true to my Sovereign, and to the cause of the people. The spirit of Liberty, and not of Party, has guided all my actions: for conduct like this, I have now the approbation of my own heart, and if that approbation is echoed back by your voices at the ensuing poll, I shall esteem

esteem it the best reward an honest man can receive.

I am aware that there must be many who have not received a personal application from me; but let me assure them, that there has been no delay on my part: it was at once my duty and my inclination to pay my respects to every individual, but the difficulty of procuring a correct list will I hope, plead my excuse. I beg leave once to say, that it is not a seat in parliament I covet so much (however respectable in itself) as the honour of again representing the county of Middlesex. It is an honest ambition, and if I am so happy as to succeed, it shall be the endeavour of my life to justify your choice by the uprightness of my conduct, and to prove myself,

I am, GENTLEMEN,

A friend to civil liberty,

And your most obliged and

Faithful Humble servant,

W. BEAUCHAMP PROCTOR.

Mr. G L Y N N's third Address

To the Gentlemen, Clergy, and
Freeholders of the County of
MIDDLESEX.

GENTLEMEN,

THough, by the great length of time since Mr. Cook's death to the issuing of the writ, sufficient opportunity has been given to my adversaries to avail themselves of every advantage to oppose my election; yet they do not seem to be contented with this delay. Measures have been pursued by some persons, (who have no right to interfere at all in the choice of a representative of the people) in order to prolong and delay, as well as to embarrass and perplex the poll.

I trust, however, that as the poll for this county has always hitherto been finished in one day, it will likewise be so this time. It is entirely in the breast
of

of the sheriffs to take such measures as may tend to conclude it, as usual in one day, with ease and convenience to the freeholders. As soon as I know the determination of the sheriffs in that respect, I will, without delay, inform you of it; and will at the same time lay before you all that has passed on this subject; for I hold myself equally accountable to you for my conduct whilst I am a candidate for your favour, as I shall think myself if chosen to represent you in parliament.

The shortness of the days makes me more particularly request your early attendance, as it is probable the poll will begin at nine in the morning.

I am, Gentlemen,

Your most faithful and obedient,

JOHN GLYNN.

On the day of election the candidates appeared on the hustings at half an hour after eight; and the sheriffs came at ten minutes after nine. Notwithstanding this, the opening of the poll was delayed till near eleven.

One of the narrow avenues leading to Brentford Butts was occupied very early by a hired mob, with bludgeons, bearing favours in their hats, inscribed, "Proctor and Liberty." — A much larger, but very compact body, armed as the former, and with the same distinctions, were planted near the hustings on an eminence, and in a disposition which was evidently the arrangement of an experienced serjeant. The rest of these banditti were stationed in different quarters of the town, to strike a general terror into the honest part of the freeholders. There was besides a corps de reserve, which was to fall forth on a signal given.

When these dispositions were secured, a chosen party of butchers, in the same interest, traversed the town, and insult-
ed

ed the hustings with marrow-bones and cleavers.

When Sir William Beauchamp Proctor's numbers were nearly exhausted, and the course of the poll declared decisively for Mr. Serj. Glynn, (who had still great numbers unpolled. *The signal was given.* An instantaneous and furious, but regular attack was made on the hustings. The sheriffs, the candidates, the clerks, the poll-books, all vanished in a moment. The whole town was presently a scene of blood. It was not enough to knock down an unhappy man: the blow was followed till he was utterly disabled. Those who have been to exposed riots, declare they never saw such cruelty. All doors and windows were barricadoed. There was no shelter. Nothing was safe. Nor can any thing equal the universal consternation of the frightened people, but the abhorrence and execration with which every tongue repeated the name of

Procter.

It

It appears from every account of the proceedings at Brentford, that the people who began the riot there, were the friends of the court candidate ; and in particular it is affirmed, than when the Irish chairmen, and the bruisers at their head, had proceeded so far in their cruel and villainous intention of murdering and wounding the people, that the gentlemen upon the hustings were in danger of losing their lives ; one gentleman went up the court candidate, and expostulated with him on the base conduct of His Mob. " My Mob !" said the courtier ; " Yes, Sir," said the gentleman, " Your Mob ! and added, " Sir, I insist upon your speaking to those fellows who are knocking down the people there." But the courtier, refused to say any thing to appease their fury ; upon which the gentleman who had spoke to him, finding himself in danger of life, seized him by the great coat, and shewed his star to the armed ruffians, who instantly took off their hats and huzza'd him. While the ruffians

fians were thus huzzaing, the gentleman escaped.

Next day was wrote, on most of the walls at Brentford, No PROCTOR ? No MURDERER.

When the above villains had cleared the hustings, they went into the town of Brentford, and attacked the Castle inn, (which was one of Mr. Glynn's houses) and made considerable havock in it. The inhabitants of the town, observing this mischief, and beginning to fear their own houses would next be destroyed, a general indignation arose amongst them. They sallied out, and attacked the villains with great spirit, and drove them out of the town. Resentment then taking place in the breasts of some of them, they vented the remainder of their rage upon one or two of the houses opened for the court candidate.

In consequence of the above interruption of the poll, the sheriffs applied to the House of Commons that very evening, and declared several of the poll-

books were missing ; upon which the House ordered that the poll should be adjourned to Monday, December 12, and in the mean time directed the sheriffs to make diligent search after the poll-boys, and to report the same to the House, who would sit on Saturday the 10th for that purpose. The sheriffs found all the books, and acquainted the House of it ; who finding that the sheriffs had not examined them, directed the books to be carefully inspected in the presence of the candidates, and if the candidates and they were satisfied, no erasures, &c. had been made in them, then to go on with the poll on Wednesday the 14th.

On Monday, the 12th, the state of the poll-books was accordingly examined at the Crown and Anchor tavern, in the Strand, when it appeared there was a majority of 147 for Mr. Serj. Glynn. There was a difference of seven votes between the sheriffs and cheque-books, which the Serjeant generously gave up.

We

We now return to the candidates, in consequence of the riot.

To the Gentlemen, Clergy, and
Freeholders of the County of
Middlesex.

GENTLEMEN,

THE warm professions of gratitude, so frequently made by those who feel no gratitude for their constituents, because the means by which they succeed take off all obligation, make me at a loss for terms to express myself on so generous, and so glorious a support as I have met with from you.

Every means employed, and every influence exerted during a six months canvass, have not been able to divert a great majority of you from espousing the cause of a candidate, whom you supposed a friend to the *Cause of the People*, and in whom you hoped to find a zealous

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lous and disinterested defender of the rights and liberties of his country.

Honour or infamy will deservedly attend me, in the same measure as my future conduct shall answer or disappoint your expectations. I do not owe your support to any personal friendship or connections, and am therefore free, even from the temptation of leaning to them: my obligations are to the public, and to the public I will return them.

For my conduct in the course of this election, I can appeal even to my adversaries; and the truth of my declaration to you has been most convincingly proved, by the infamous behaviour of my opponents, in the lawless interruption of the Poll, when a mob of *hired* ruffians were, at a signal, let loose upon the peaceable, unarmed, and inoffensive Freeholders of the County of Middlesex, in order to destroy those whom they could not corrupt, and to wrest from them by violence that Freedom of Election, which every undue and unconstitutional

tutional interposition had failed to overthrow.

The Sheriffs, and every person present, were witnesses of a scene never before exhibited at an election. A desperate set of armed ruffians, with *Liberty and Proctor* in their hats, without the least opposition, without the least provocation, or cause of quarrel, destroyed those who did not lift up a hand in their defence. Sir William, to whom I called to go with me and face this mob, made no answer, and left me : I remained the last man upon the hustings.

However, I live, Gentlemen, to assert not so much *my* Election, as *your* Rights ; and I pledge myself to you, that your blood so wantonly shed yesterday, shall be vindicated, and the charge brought home both to the hired and the hirers. The more exalted their stations, and the more privileged their persons, the louder is the call for justice, and the more necessary its execution. Whether as your Representative,

or as a private Gentleman, I pledge myself to you to go through with this business, or to perish in the attempt.

The freedom of a County Election is the last sacred privilege we have left; and it does not become any honest Englishman to wish to survive it. For my own part, I will not. And if by my declaration I may seem to depart from that moderation which has always particularly marked my character, it is because I think tameness in a cause like this is infamy. There is virtue still left in this country; we are come to a crisis, and the consequence of this struggle will determine whether we shall be slaves or free.

It is at present depending before the House of Commons what measures shall be next pursued in regard to this election. When they have decided, I will give you the earliest notice possible; and I promise you that no discouragement shall ever make me desert you, who have

have shewn that you will not desert yourselves.

I am, Gentlemen,

Your most grateful and faithful

Humble Servant,

Bloomsbury-square,

Dec. 9, 1768.

JOHN GLYNN.

To the Gentlemen, Clergy, and
Freeholders of the County of
Middlesex.

GENTLEMEN,

AS I have endeavoured, in a course of
twenty years, to obtain your es-
teem by fair and honourable means,
and as in that whole time, as well as
on the present occasion, you have laid
the most lasting obligations on me, I
wish I could now find words adequate
to the sentiments I feel towards the
free

free and independant Electors of the County of Middlesex.

Caluminated as I have been during a long depending canvass, I was in hopes that every topic of defamation had been exhausted; and I never expected that the daring and tumultuous interruption of last Thursday's poll would have been ascribed to me in so illiberal and inflammatory a stile as my antagonist has thought proper to use. For his conduct in the course of this business, the Serjeant appeals to me; and I appeal to the sense of mankind, whether a *Band of Writers* has not been let loose to be the *Assassins of my Reputation*? Whether the Serjeant has not, in a manner unworthy of a *Gentleman* and a *Lawyer*, exerted every effort to set up *usage* in opposition to the *Law of the Land*, and endeavoured, in a *dictatorial Manner*, to compel the Sheriffs to close the poll in one day, to the prejudice of the Electors, and in violation of the authority vested

vested in the returning officers,
by the wisdom of the legislature?

My hopes, Gentlemen, were
grafted upon your voices, and the
full sense of the connty. I have
ever so conducted myself in life,
that I might reasonably think the
character, which the whole tenor
of my actions has established,
would be sufficient to repel a
charge of outrage and inhumani-
ty. But I will not content myself
with that refutation: I here de-
clare in form, that not a single
man, nor any set of men, ever
received from me, nor ever will
receive directly or indirectly, the
wages of iniquity. I affirm, upon
my honour, that I never was con-
scious

scious of a design to disturb the public peace. My agents had positive instructions to observe the utmost regularity, and to take care that the persons they might employ to assist my friends and me at the poll (according to the usage of all contested popular elections) should consider themselves as assistants to the civil magistrate; I had no reason to be alarmed at my opponent's numbers on the poll-books; it was my interest that the election should be conducted quietly, and I leave it to every thinking man to judge, whether a candidate, who knew he was not first upon the poll, and had actually five hundred voters then ready, should

should desire abruptly and riotously to close the business, before the majority had been turned in his favour? I once more say, I never in my life hired a man for evil purposes, and my heart could never consent to a measure of violence and barbarity.

If a signal was given; if Proctor and Liberty appeared in the hats of ruffians, how that might be contrived by the election-arts of my adversaries, need not now to be mentioned. If my antagonist was willing to face the mob, he had more confidence in a desperate banditti than I could have. To escape from their fury was all that I could propose to myself, and I aver that I was not only struck, but that I was in the utmost peril of my life. I have, however, survived the dangers of that day as well as the Serjeant, and I promise that it shall be to as good purposes as that gentleman can assume. It shall be to bring this dark transaction into open day-

D

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D

I trust nobody will be hardy enough for the future to violate the freedom of the election, and the right of the freeholder.

I have the honour to be,

Gentlemen,

Your most obliged,

And faithful humble servant,

W. BEAUCHAMP PROCTOR.

Bruton-street, Dec. 10.

To the Gentlemen, Clergy, and
Freeholders of the County of
Middlesex.

GENTLEMEN,

THE dangerous tumults and disorders which attended the last election, having raised a general alarm in
the

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THE dangerous tumults and disorders which attended the last election, having raised a general alarm in
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the minds of the Freeholders; I found it to be the earnest wish of many of my friends, and therefore I thought it necessary for me to take every lawful measure to secure them from insult; but I do solemnly and publicly aver, that no persons were engaged by me, or on my behalf, to commit any riot or disorder whatever; on the contrary, the strongest injunctions were repeatedly given on my part, to avoid making any disturbance, to observe the most perfect good order, and assist the peace-officers, if called upon.

I am every moment receiving informations upon oath, which confirm the suspicion I at first entertained, that the interruption of the poll at Brentford, was a scheme artfully calculated by my enemies, to serve their purposes, and their imputation of it to me, is wickedly designed to prejudice me in the good opinion of the Freeholders of this county, whose kind attachment to me
will,

WHEREAS my adversary has publicly confessed, that he, or his agents, did hire certain persons, under pretence of assisting him and his friends at the poll, according (as he saith) to the usage of all contested popular elections, who were (according to his declaration) to be assistant to the civil magistrate : in answer to an attempt to charge me with the tumults committed on Thursday last, I submit to the public the following affidavit ; from whence it may be judged, whether the guilt of that day ought to be imputed to the person who confesses he did, or the person who voluntarily swears he did not hire persons to be present at the election, who had no legal call to be there.

JOHN GLYNN.

AFFIDA-

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JOHN GLYNN.

AFFIDA-

A F F I D A V I T.

JOHNN GLYNN, of Bloomsbury-square, in the county of Middlesex, Esq; maketh oath that he did not, nor to his knowledge or belief did any agent, friend, servant, or any other person whatsoever, hire or employ any person or persons, except the coachmen who drove the carriages, or persons necessary to attend the horses, under any pretence whatsoever, to be at Brentford, or any other place on the day of election; nor did this deponent pay, or undertake to pay, by himself, agent, friend, servant, or any other person whatsoever, any person or persons but the clerks employed in taking the poll: and this deponent further saith, that he will not, under any pretence whatsoever, hire, employ, or suffer to the best of his power, any person or persons to be

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hired

hired or employed, or to be present at the election to-morrow, or any future day, except the persons so hired and employed as aforesaid; and to the best of this deponent's belief, no person whatsoever in his interest will hire or employ any other persons to be present at the election; and this deponent verily believes the persons who commenced the outrage at the poll were the persons hired by Sir William Beauchamp Proctor, or his agents; but this deponent verily believes that the persons who assaulted Sir William Beauchamp Proctor, and the house to which he retreated, were not the same persons who commenced the outrage, but other persons who had been assaulted by them; and this deponent did not know of the assault on Sir William, or the house, till after it was committed.

JOHN GLYNN.

Sworn 13 Dec. 1768, before me,
JOHN COX.

To

*To the Electors of Middlesex in the
Interest of Sir William Beau-
champ Proctor.*

SIR William Beauchamp Proctor begs
leave to acquaint his friends, who
have not yet polled, that the poll at
Brentford comes on this morning, at
nine of the clock ; when he hopes for
the honour of their appearance in his
favour, which he will ever esteem as
the highest obligation.

Dec. 14, 1768.

*To the Gentlemen, Clergy, and
Freeholders of the County of
Middlesex.*

GENTLEMEN,

MR. Serjeant Glynn earnestly intreats
all his friends, who may be at
E 2 Brentford

Brentford to-morrow, to restrain their indignation, and carefully to refrain from any act of outrage or insult, as nothing can be so contrary to Mr. Glynn's wishes, or so likely to defeat his success, as the breach of order or decency by any of his friends.

Bloomsbury-square,

Dec. 13, 1768.

On Wednesday morning, Dec. 14, the poll recommenced at Brentford, and continued till about three o'clock in the afternoon ; which was as remarkable for peace, decency, order, and regularity, as it was for riot, disorder, and confusion, the first day. The Sheriffs having made proclamation round the hustings, in the usual form, for the freeholders to come and poll, or the books would be closed ; and having waited half an hour, and none coming, they adjourned to an adjacent house
to

to cast up the numbers. In about an hour they returned, and proclaimed the numbers to be,

For Mr. Serjeant Glynn	1542
For Sir W. B. Proctor	1278

Whereupon Mr. Glynn was by the Sheriffs declared duly elected.

All the Serjeant's friends were particularly solicitous in preserving peace and quietness. And at Hyde-park Corner, where the riot was at the time of Mr. Wilkes's election, every thing was now perfectly peaceable; many thousands of hand-bills were distributed, requesting the public to restrain their indignation upon the affair of the former day.

When the poll ended, Sir William thought proper to retire: he was conducted from the hustings, and quietly through the people, to his own carriage.

riage, by Mr. Allen, whom before he had so cruelly abandoned to the fury of his mob, and several of Mr. Glynn's other friends; to whose civility he politely returned thanks.

*To the Gentlemen, Clergy, and
Freeholders of the County of
Middlesex:*

GENTLEMEN,

THE success with which your public virtue and perseverance have been crowned, gives me a satisfaction equal to the honour it reflects on you. My thanks will best be expressed by my future conduct, which alone can determine whether I am, or am not,
worthy

worthy of that generous support I have met with from you. You have triumphed over every interest, over every discouragement, and have shewn yourselves, in the discharge of your duty to your country, equally unbiassed by hope or by fear. May you meet with the only reward you look for—the confirmation of all your rights, the enjoyment of all your Liberties !

As my private advantage and honour were by no means the motives of your exertion in my behalf, so neither shall they be the objects of my actions.— I consider the choice you have made of me for your Representative as the most authentic declaration of your abhorrence of those arbitrary and oppressive measures which have too long disgraced the administration of these kingdoms, and which, if pursued, cannot fail to destroy our most excellent constitution.

I hope

I hope that your example will lead other counties also to assert their independence ; and that the sacred flame of liberty, which always ascends, will reach at length the high orders of this nation, and warm them likewise to a disdain of offering or accepting the wages of corruption.

Again and again, Gentlemen, I congratulate and thank you ; and shall esteem those the happiest moments of my life, in which I shall be employed in paying off that great debt of gratitude which by your kindness I have contracted.

You shall always find me,

Gentlemen,

Your most grateful and faithful

Bloomsbury-square, humble Servant,

Dec. 14, 1768.

John Glynn.

To

To the Gentlemen, Clergy, and
Freeholders of the County of
Middlesex.

GENTLEMEN,

THE professions of esteem and gratitude so repeatedly made by me in the course of the late canvass, were not the meer fashionable stile of election language; they sprung from sentiment, and were the real dictates of my heart, which will ever remain unalterable; permit me, therefore, to offer my most sincere acknowledgements for the generous support I received from so considerable a number of Gentlemen of the highest character and fortune, and other Freeholders of the county: and although it has not been attended with the desired success, you will give me leave to return you, in this public manner, my
F best

best and most grateful thanks for that additional mark of your friendship and attachment, and to assure you that I shall ever remain,

Gentlemen,

Your most obliged,

And faithful humble servant,

W. BEAUCHAMP PROCTOR.

To the Gentlemen, Clergy, and
Freeholders of the County of
Middlesex.

GENTLEMEN,

I Hold myself accountable to you for every action of my Life, which respects the public. I desire to stand or fall by your free and unbiassed judgment. I wish to be directed by your counsel and instruction in all matters
of

of importance. It is my great ambition to shew myself not quite unworthy of the choice you have made of me as your Representative, nor of being the colleague of the worthy patriot, Mr. GLYNN, whom I thank you for having joined with me in this sacred trust.

I take the earliest Opportunity, Gentlemen, of stating to you the following particulars : I caused to be printed and published, in the St. James's Chronicle of December the 10th, a Letter of the Secretary of State, written from St. James's on the 17th of April to Mr. Justice Ponton *, with some prefatory

* Copy of the Letter referred to :

“ SIR, St. James's, April 17, 1768.

“ HAVING already signified the King's pleasure to the Lord Lieutenant of the county in which you reside, with regard to the measures to be taken, in

remarks. I avow the publication of both. I will go further, and declare that I first, several months ago, transmitted

general, for preserving the peace, at a time that so very riotous a disposition hath discovered itself among the common people ; I make no doubt but either some steps have, or will immediately be taken, by him on that head ; and I take it for granted, that, as chairman of the sessions, you will meet the gentlemen who act in the commission of the peace for the borough of Southwark and east hundred of Brixton, to consult together, and fix upon some plan, for securing the public tranquillity against any mischiefs which may happen, should the same indecent spirit of tumult and disorder, which has appeared in ethityc and liberties of Westminster, spread itself to
those

mitted to the press the Letter of the
Secretary at War, dated May the 11th,
returning thanks in the King's name to
the

those parts which are within the line of
your duty. And though I am persuaded
it is necessary to suggest to you, or the
gentlemen who will meet you, any part
of your duty upon such an occasion, yet
after the recent alarming instances of
riot and confusion, I cannot help ap-
prizing you, that much will depend up-
on the preventive measures which you
shall, in conjunction with the other
gentlemen in the commission of the
peace, take upon your meeting; and
much is expected from your vigilance
and activity with which such measures
will be carried into execution, when I
inform you, that every possible precau-
tion is taken to support the dignity of
your office, that upon application from
the

the officers and soldiers of the third regiment of Guards, for the rank and foul murders committed in these fields
on

the civil magistrate at the Tower, the Savoy, or the War-Office, he will find a military force, ready to march to his assistance, and to act according as he shall find it expedient and necessary. I need not add, that if the public peace is not preserved, and if any riotous proceedings which may happen are not suppressed, the blame will most probably be imputed to a want of prudent and spirited conduct in the civil magistrate. As I have no reason to doubt your caution and discretion in not calling for troops till they are wanted; so, on the other hand, I hope you will not delay a moment calling for their aid, and making use of them effectually, where there is occasion; that occasion always presents

on the 10th of that month. My hand trembled while I copied what I blushed to read, and I gave it to the public in the

sents itself when the civil power is trifled with and insulted ; nor can a military force ever be employed to a more constitutional purpose, than in support of the authority and dignity of magistracy.

“ I am, &c.

“ P. S. I have, for the greater caution, sent copies of this Letter to the members for the Borough, and Mr. Pownal. If you should have received no directions from Lord Onlow for a meeting, you will consider this as sufficient authority for that purpose.

“ To Daniel Ponton, Esq;
Chairman of the quarter-
sessions at Lambeth.”

the only way my present situation could admit, with the hope of promoting a parliamentary enquiry into that bloody transaction, which I trust this second publication will now accomplish, and because I think this free nation has a right to be fully informed of the conduct of administration in so important a concern as the loss of the lives of many subjects.

Administration complains of me for having published the Letter of the Secretary of State. I complain to the nation that such a Letter has been written. This is not a Letter on any personal business or pleasure, I would have scorned to have published any such. This Letter was from a Secretary of State to the Chairman of the quarter-sessions at Lambeth, and is written in characters of blood. It affects deeply the constitution of this country, and every man in our island. I will at present leave it to the honest indignation of every Englishman. I shall now only add, that if I have not
given

given to the public a most accurate and faithful copy, I ask pardon of the Secretary of State. If I have, then I will say, that for the innocent blood of our countrymen spilt in consequence of that letter, the writer ought to ask forgiveness of God and his country, and pass the remainder of his life in penitence and tears.

I am,

With great difference and esteem

GENTLEMEN,

Your faithful and obedient,

Humble servant,

JOHN WILKES.

King's-Bench Prison,
Saturday, Dec. 17, 1768.

No. 7.

G

To

To his Most Sacred Majesty King
G E O R G E.

S I R E,

I B E G thus to throw myself at your Majesty's feet, and supplicate the mercy and clemency which shine with such lustre among your princely virtues.

Some former ministers, whom your Majesty, in condescension to the wishes of your people, thought proper to remove, employed every wicked and deceitful act to oppress your subject, and to avenge their own personal cause on him, whom they imagined to be the author of bringing to public view their ignorance, insufficiency, and treachery to your Majesty and the nation.

I have been the innocent and unhappy victim of revenge. I was forced by their injustice and violence into exile, which I have never ceased to consider, for many years, as the most cruel oppression ; because I could no longer be under the
benign

benign influence of your Majesty in the land of liberty.

With a heart full of zeal for the service of your Majesty and my country, I implore, Sire, your clemency. My only hopes of pardon are founded in the great goodness and benevolence of your Majesty; and every day of freedom you may be graciously pleased to permit me the enjoyment of, in my dear native land, shall give proofs of my zeal and attachment to your service.

JOHN WILKES.

To Thomas Nuthall, and Thomas Francis, Esqrs. the Solicitor and Deputy Solicitor of the Treasury.

Gentlemen,

I Take the liberty of acquainting you, that in the beginning of the ensuing term I shall present myself to the Court of King's-Bench. I pledge my honour

as a Gentleman, that on the very first day I will there make my personal appearance.

I am, S I R,

Your most humble Servant,

JOHN WILKES.

London, March 22, 1768.

On the 20th of April, in the morning, Mr. Wilkes came from his lodgings in Prince's-Row, near Great George Street, Westminster, in a hackney chair, to the Parliament coffee-house in Old Palace-Yard, being preceded by three gentlemen, who most pressingly recommended silence and good order to the populace, as did Mr. Wilkes also from the chair. He staid at the coffee-house till the court was sat, and then went the back way into court, where his surrender WAS NOT ACCEPTED. The matter was argued by council, and, it was determined, that according to law,
Mr,

Mr. Wilkes should have surrendered himself to the Sheriff. The pleadings of the counsel lasted till near two o'clock, when Mr. Wilkes left the court, and withdrew to the coffee-house for some time; and afterwards with his brother two gentlemen, went in a hackney-coach over Westminster-bridge, into Surry, attended by a great multitude of people, who observed great peace and good order. Notwithstanding there was so great a crowd in Westminster-hall, there was not the least disturbance or interruption to the public peace, the hall and entrance into court being lined by the constables under the immediate direction and inspection of Mr. Justice Welch, and the other magistrates of the city and liberty of Westminster. The Judges, &c. were attended to Westminster-hall by a greater number of constables than usual, and the constables and beadles in the city of Westminster, mounted guard at the watch-houses, but no crowd gathered, nor was any noise heard, though
 great

great numbers left town for fear of riots, &c.

On surrendering himself at the bar, Mr. Wilkes made the following speech :

My LORDS,

ACCORDING to the voluntary promise I made to the public, I now appear before this sovereign court of justice, to submit myself in every thing to the laws of my country.

Two verdicts have been found against me. One is, for the republication of the North-Briton, No. 45 ; the other for the publication of a ludicrous poem.

As to the republication of the number of the North Briton, I cannot yet see that there is the smallest degree of guilt. I have often read and examined with care that famous paper. I know that it is in every part founded on the strongest evidence of facts. I find it full of duty and respect to the person of King, although it arraigns, in the severest manner, the conduct of his Majesty's

jesty's then ministers, and brings heavy charges home to them. I am persuaded they were well grounded, because every one of those ministers have since been removed, No one instance of falshood has yet been pointed out in that pretended libel nor was the word FALSE in the information before this court. I am therefore perfectly easily under every imputation respecting a paper, in which truth has guided the pen of the writer, whoever he was, in every single line; and it is this circumstance which has drawn on me, as the supposed author, all the cruelties of ministerial vengeance.

As to the other charge against me, for the publication of a poem, which has given just offence, I will assert that such an idea never entered my mind. I blush again at the recollection that it has been at any time, and in any way, brought to the public eye, and drawn from the obscurity in which it remained under my roof. Twelve copies of a small part
 of

of it had been printed in my house, at my own private press. I had carefully locked them up, and I never gave one to the most intimate friend. Government, after the affair of the North Briton, bribed one of my servants to rob me of the copy, which was produced in the House of Peers, and afterwards before this honourable court. The nation was justly offended, but not with me, for it was evident that I had not been guilty of the least offence to the public. I pray God to forgive, as I do, the jury who have found me guilty of publishing a poem I concealed with care, and which is not even yet published, if any precise meaning can be affixed to any word in any language.

But, my Lords, neither of the two verdicts could have been found against me, if the records had not been materially altered without my consent, and as I am informed, contrary to law. On the evening only before the two trials,
 -----caused the records to be
 altered

altered———against the consent of my solicitor, and without my knowledge; for a dangerous illness, arising from an affair of honour, detained me at that time abroad. The alterations were of the utmost importance, and I was in consequence tried the next day on two new charges, of which I could know nothing. I will venture to declare this proceeding unconstitutional. I am advised that it is illegal, and that it renders both the verdicts absolutely void.

I have stood forth, my Lords, in support of the laws against the arbitrary acts of ministers. The court of justice, in a solemn appeal respecting *General Warrants*, shewed their sense of my conduct. I shall continue to reverence the mild and wise system of English laws, and this excellent constitution. I have been much misrepresented, but under every species of persecution I will remain firm and friendly to the monarchy, dutiful and

Vol. II. No. 8. H friendly

friendly to the monarchy, dutiful and affectionate to the illustrious Prince who wears the crown, and to the whole Brunswic line.

As to all nice, intricate points of law, I am sensible how narrow and circumscribed my ideas are; but I have experienced the deep knowledge and great abilities of my counsel. With them I rest the legal part of my defence, submitting every point to the judgment of this honourable court, and to the laws of England.

A P O E M

P O E M

Humbly inscribed to JOHN
WILKES, Esq;

BLESS'D by the anxious crowd that
murm'ring wait

With fix'd attention on their hero's
fate,

Whilst you, my friend, with manly
wit beguile

Those suff'rings which disgrace fair
freedom's isle;

Whilst you can cheer the heart, dispel
its fear,

And force a smile where gush'd the
tender tear ;

H 2 Can

Can boast a patriot's right to British
fame,

And rise superior to the tyrant's aim,
Let malice threaten, still pursue thy
plan,

The greatest sufferer's now the greatest
man.

Though pension'd peers grow frantic
at the name,

Thy cause, and Liberty's, are still the
same ;

Though B * * E, to wreak his ven-
geance o'er the land,

Send forth the troops to kill at his
command ;

Though B - - - - - N, in orders
most profane,

Give thanks to those who had the
guiltless slain ;

Though M - - - - - D, N - - - - N,
N - - - s exert their force,

To turn the stream of justice from its
course ;

GLYNN shall protect what candour
must approve,

And Truth and Dunning gain their
country's love ;

Say,

Say, when of late the nation's council met,

And sat in judgment on that culprit,
wit ;

Say, was affronted ministers the cause
That urg'd those worthies to annul
their laws ?

To vote their sacred privilege away,
And brand with infamy that fatal day ?

No—'twas the rankling sore at length
burst forth,

And spread its baleful influence from
the North.

Each minion stalks a champion for the
Thane,

To crush the patriot who had fix'd
the stain :

The stain is fix'd, the patriot is con-
fin'd,

Whose sting remains to goad the op-
pressor's mind.

Guilt's always fetter'd, virtue's always
free,

A court's a goal depriv'd of Liberty.

Sing

Sing next, my muse, the dire con-
 tested fray,
 Where Harley dar'd the dangers of
 the day ;
 (Propitious day, that could at once
 create
 A merchant-taylor councillor of state)
 A numerous multitude contriv'd to
 meet, and
 And halloo Forty-Five through every
 street ;
 And (what's incredible !) were heard
 to cry
 These words seditious, — Wilkes and
 Liberty !
 On lofty standards in the air did
 float
 Those hieroglyphics, BOOT and PET-
 TICOAT.
 Soon as their dreadful shouts accost
 their ear
 Of grocer knights, and traders in
 small-beer,
 Confounded and amaz'd, the Guild-
 hall court
 Forget their custard, and forsake their
 sport ;

Away,

Away, with ghastly looks, to Harley
ran,

And thus in doleful plight, their dismal
tale began.

“Most honour’d, most belov’d, thou
best of men !

“Behold thy suppliant court of Aldermen !

“Behold them prostrate on thy lordly
floor !

“O save us, for the danger’s at our
door !

“Thy Tory race no citizen but
knows,

“Thy friends and Liberty’s must needs
be foes.”

Thrice shook his chain, thrice wav’d
his willow rod,

Then cry’d,—“My brethren, courage
is my fort,

“Twas that advanc’d my int’rest with
the court ;

“I’ll scourge the scoundrels ! I’ll dra-
goon them hence ;

“This love of Liberty’s mere want
of sense.”

Then

Then from the mansion rush'd the
 val'rous chief,
 To serve his country, or to—take a
 thief;
 But more resolv'd to crush Rebellion's
 root,
 And triumph o'er the petticoat and
 boot.
 In equal ballance hung the fierce dis-
 pute,
 Between the war-like magistrate and
 Boot;
 The boot and petticoat at length gave
 way,
 And now remain the trophies of the
 day.
 The petticoat and boot, consign'd to
 fame,
 Shall waft to latest times this hero's
 name.
 So the spruce dunghill cock, elate
 with pride,
 Struts, crows and flutters by his lady's
 side;

But

But if, in search of food, he chance
to stray,

And meet some neighbour dunghil by
the way,

Cries,—“ Brother, brother, we are
both to blame,

“ Leave fighting to these brutal cocks
of game.”

Lo! from the hustings, when the
herald loud

The candidates proclaim, the buzzing
crowd

Rais'd every hand for thee, on thee
they call,

And acclamation shook the trembling
hall :

But singly when they sneak'd to give
their voice,

They basely fear'd to justify their
choice.

Blush, blush, ye Livery!—hide the
guilty gown !

Left Bute and Slav'ry mark it for their
own.

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And spare the record for its country's
lake.

This vile disgrace no city craft can
 cure,
 Th' indignant badge for ever must en-
 dure.

Not so the sons of freedom Brent-
 ford boasts,
 Alike their sentiments, alike their
 toasts;
 Unaw'd, uninfluenc'd by the powers
 above,
 They chuse the man their consciences
 approve
 Howe'er a Luttrell may have face to
 fit,
 A Wilkes secures the greatest number
 yet;
 Twelve hundred friends supports the
 noble cause,
 To try their power, and supports their
 laws;
 Such matchless zeal, beyond example
 free,
 Shall eternize thy Middlesex and Thee:
 Old time shall change his sickle for
 the rake,
 And spare the record for its country's
 sake.

Sick of those plagues, whom little
folks call great,

Those Patagonian monsters of the state,
Whose vice betrays the fountain whence
they spring,

The certain spurious offspring of a
K——.

Sick of all knaves and fools of either
sex,

Whose flatt'ry nauseates, or whose
praises vex,

For thee I seek, my friend, but seek
in vain,

Thou grand specific for a sickly brain ;
Like thee no modern doctor has the
skill

To cure corrupted brothers of the
quail,

From learned Baker, down to Dock-
root hill.

O ! when, again, beneath that fost'-
ring roof,

Where scial pleasure never met re-
proof,

Where

Where joys convivial crown the festive board,
 And every son of Liberty's a Lord ;
 Where laughter-loving friends a thousand ways,
 Provoke to wit, or chaunt their round-
 delays ;
 Where gospel-schism never yet had birth,
 Or politics, that enemy to mirth.
 O ! soon (sequester'd from these canker'd times.
 When candid truths are constru'd into crimes)
 Soon may'st thou join thy long-expecting friends,
 Where first to meet thee ev'ry man contends.
 May thy good-natur'd wit, as usual, flow,
 To prove what pleasure genius can bestow.
 Alas ! in vain we wish thy quick return ;
 In vain, thy half expir'd hard sentence mourn.

Yet

Yet hark!—methinks with more than
mortal sound,

The goddess spreads this welcome
news around:

“I come ye Britons, by your king’s
command,

“T’ announce glad tidings thro’ his
native land.

“Such Christian virtue public blef-
sings brings;

“Mercy’s the great prerogative of
king’s!

“Cease then contention—hence your
hero’s free,

“I here proclaim the banns ’twixt
Wilkes and Liberty!

January,

January 2, 1769.

THE Right Hon. the Lord Mayor held a wardmote at St. Bride's church in Fleet-street, for the election of an Alderman of Farringdon ward without, in the room of the late Sir Francis Gosling, when John Wilkes, Esq; and Mr. Bromwich, a Paper-hanger on Ludgate-hill, were severally put up; at which time there appearing an amazing number of hands in favour of Mr. Wiikes, and very few for Mr. Bromwich, Mr. Wilkes was declared, but a poll being demanded by the friends of Mr. Bromwich, the same began immediately, and closed at three, when the numbers stood as follows

For John Wilkes, Esq; — — 255

, Mr. Bromwich, — — 69

About three o'clock Mr. Bromwich declined giving his friends any further trouble, and Mr. Wilkes was declared duly elected, amidst the shouts of a prodigious multitude of people, great
part

part of whom accompanied the Right Hon. the Lord Mayor to the Mansion House, with repeated acclamations of applause for his Lordship's candid and impartial conduct. The election was attended with very little disturbance, considering the great zeal testified by the friends of Mr. Wilkes, as a steady assertor of their privileges, and the freedom of Englishmen.

In the evening of the same day there appeared in the public papers the following address

To the worthy Inhabitants of the Ward of Farringdon Without.

Gentlemen, Freemen, and Fellow Citizens!

I Am truly grateful to you for the honour I this day received in being elected alderman of this large, opulent and respectable ward. Every power

power I derive from that high office, shall be employed in the preservation of the preservation of the rights of the livery of London, and of all freemen of this great metropolis. After the primary duty I owe to the county of Middlesex, I shall consider the claim which you now have upon me, as demanding the utmost exertion of my poor abilities. I promise you a faithful and zealous attachment to your service, a diligent attendance on your business, and a steady attendance on your business, and a steady attention to the interests of our ward.

From you, gentlemen, I entreat, upon every occasion, a fully and early communication of whatever you judge of consequence to the prosperity of the ward, as well as to the welfare of this free city, and the support of its trade and commerce, which are of the utmost importance to its own greatness, and to the whole kingdom. I will always take a public-spirited, decided, and disinterested part; and

I doubt

I doubt not of support and assistance in all my undertakings, for they shall be directed solely by a regard to the interest of the people of England, of this city in general, and of our ward in particular. The near relation in which I now stand to you, will, I hope, furnish me with frequent opportunities of knowing your sentiments in our common concerns, and every gentleman of the ward shall have an easy access where they have lodged their power; for the just exercise of which I shall think myself in all instances accountable to my constituents.

I am Gentlemen,

Freemen, and Fellow Citizens!

With gratitude and respect,

Your affectionate and obedient

Humble servant,

JOHN WILKES.

King's-Bench Prison,
Saturday, Jan. 2, 1769.

No. 10.

K

To

In consequence of Mr. Wilkes's being elected alderman of Farringdon ward without, a gentleman was sent with a message to him from the Right Hon. the Lord Mayor, acquainting him of the same and desiring him to appoint a day for his being sworn in. Mr. Wilkes received his Lordship's message with the highest regard, and begged the gentleman to return his most grateful and sincere thanks to his Lordship for the great candour he had shewn on the day of election, and hoped that he should have it in his power to pay his respects to his Lordship at the Mansion House on Tuesday the 24th of the same month, and to be sworn in at Guildhall that day.

On Thursday, January 12, at a very numerous and respectable meeting of the freeholders of the county of Middlesex, held at the Mile-End assembly-room, the following instructions were unanimously agreed to, and directed to be transmitted to the Knights of the Shire.

To

To John Wilkes, and John Glynn,
Esqrs. Knights of the Shire for the
County of Middlesex.

Gentlemen,

We, the freeholders of the county
of Middlesex, direct and instruct you
our representatives in parliament.

I. To endeavour to continue to us,
and confirm our old constitutional and
only rightful trial---by jury.

II. To promote a strict parliamen-
tary enquiry into the transactions of
the military in St. George's-fields, on
Tuesday the 10th of May last.

III. To promote a like enquiry into
the riot and murders committed at
Brentford on the 8th of last Decem-
ber.

IV. And,

IV. To examine into the administration of justice in this county ; particularly into the present state of the commission of the peace.

V. And, as far as in your power, to promote an enquiry into the rights of the public to the territorial revenue arising from the conquest in India.

John Sawbridge, Esq; member of parliament for Hithe in Kent, was by the general voice placed in the chair.

The instructions relating to the trial by jury was moved by the Rev. Mr. Horne.

The three instructions relative to inquiries into the transactions of St. George's-fields, the riot at Brentford, and the commission of the peace, were moved by James Adair, Esq; And,

The

The enquiry relative to the territorial revenue of the conquest in India, was proposed by Benjamin Hayes, Esq;

The three gentlemen abovementioned were appointed to convey these instructions to the Knights of the shire, and desired to repeat to them the reasons (as well those advanced by themselves as by others in the course of debate) and the motives which induce the county to form such instructions at present.

January 17, a court of aldermen was held, to consider in what manner they should act with respect to the legality of the election of Mr. Wilkes, as alderman of Farringdon without; it appearing, that the casting up of the poll after an adjournment had been mentioned, and declaring the candidate who had the majority after the other candidate had declined, was an undue election. And

On

On the 21st another court being held, Mr. Wilkes's election was declared to be illegal, and a wardmote was appointed to be held accordingly on the 27th inst.

On which account, Mr. Wilkes, in his usual manner, addressed him

To the Worthy Inhabitants of the
Ward of Farringdon Without.

Gentlemen, Freemen, and Fellow
Citizens !

I Cannot conceal my surprize at this day's resolution of the court of aldermen, relative to the high office which I now hold by your favour in this great city. The day after your choice an officer came to me from the Lord Mayor to congratulate me on my election, and to say, that on account of the holidays no court of aldermen could be held till Tuesday
the

the 17th, when his Lordship would declare my being elected your alderman; and he gave me notice that I must prepare to be sworn in on the Tuesday following, the 24th. I desired the officer to return my thanks to his Lordship for the obliging congratulation, as well as for the fair and candid proceedings at St. Bride's church; and I added, that as I did not doubt from the justice of the house of peers, that the two sentences against me would be reversed on the 16th, I hoped to pay my personal duty to the first magistrate of the city on the 17th, at the Mansion-house.

I am entirely convinced, gentlemen, that the late election was fair and legal. It was almost unanimous. My opponent, Mr. Bromwich, gave up the contest under his hand at the time of election, and two days after, on Wednesday the third, he advertised in the public prints, "that find-

ing the sense of the ward to be so much in favour of John Wilkes, Esq; he declined the poll, not being willing to give any unnecessary trouble to his friends." The Lord Mayor published the numbers as soon as Mr. Bromwich gave up the poll and declared me duly elected.

The proceeding to a new election, I consider as an injury done to you, gentlemen, whose rights and privileges I will ever support. I am informed there is no power in the court of aldermen to decide upon, or even to enquire into, the object of your choice, or the legality of your election. They are obliged to admit and to swear in the person, who is returned to them by your chief magistrate. The act of common-council compels them. I will support this right, not only for the sake of our own ward, but as the clear privilege of the city, of every citizen of London. Upon this principle I shall not ask any favour of them
but

but do lay claim to the being admitted into that court, in consequence of your free election of me as alderman of this respectable ward.

As I find, gentlemen, that another wardmote is summoned for next Friday, I entreat you to attend early to assert your own independence, to support your former election, and to prevent, if possible, all cavil. I am well informed, that a part of the court of aldermen are determined to seek a pretence, however frivolous, to reject me, although I should be honoured a second time by your choice; but I beg leave to assure you of my steadiness in the maintainance of your rights on this and every other important occasion, and that I am,

With true respect, Gentlemen,

Your obedient, and faithful

Humble Servant,

J O H N W I L K E S.

King's-bench Prison,

January 24, 1769.

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N. B.

N. B. The wardmote will be held at St. Bride's church, on Friday next, at eleven o'clock in the forenoon.

Friday, January 27, pursuant to a precept from the Right Hon. the Lord Mayor, came on at St. Bride's church, the re-election of an alderman, for the ward of Farringdon without, when John Wilkes, Esq; was unanimously chosen, no other person appearing as a candidate. At the opening of this business, the Lord Mayor, in a very polite and obliging manner assured the inhabitants, "that the reason of their having the trouble of attending a second time on the business of electing an alderman, was owing to a mistake of his own, in making the declaration at the former election after the books had been closed."

The success of this day, occasioned Mr. Wilkes's second address

To

To the worthy Inhabitants of the
Ward of Farringdon Without.

Gentlemen,

THE repeated exertions of the noble spirit of independence which you have shewn this day, does me the highest honour, and calls for my grateful acknowledgements. It now only remains for me to assert your rights, to carry into execution what you have determined in my favour, and to employ the power with which you have intrusted me, for your good. Whatever occurs, I shall submit to my constituents. I desire the gentlemen of the ward to be the judges of my conduct, and to try me by my actions, which, I promise you, shall always be directed to the great commercial interests, to the privileges and the franchises of this city, and all the citizens. It will be my ambition, as well as duty, in this new dignity to

which to have raised me, to assert the rights of all the freedmen of London, and to promote, on every occasion, the interests of this respectable and important ward.

I am, Gentlemen,

Your faithful and obliged

Humble servant,

JOHN WILKES

Friday, Jan. 27, 1769.

January 27, the petition of Mr. Wilkes came under the consideration of the House of Commons, when it was resolved, that the council for Mr. Wilkes should not be admitted to be heard upon any of the allegations contained in the said petition, except the complaint of the record's having been materially altered by Lord Mansfield's orders; and the charge against Philip Carteret Webb, Esq; for having suborned and bribed, with the public money, one Michael Curry, to give evidence against Mr. Wilkes, according to the directions of the said Mr. Webb.

By

By the way, however, it should be remarked, that the present examination comprehends only two articles of the petition; viz. the alteration of the records, and the public money issued to Michael Curry, as evidence for the crown against Mr. Wilkes. To the first point Mr. Barlow and Mr. Wallace are very full and express; but it is rather wonderful that the artful Mr. Wallace should be so much off his guard as to acknowledge so far to the house, that at least he concurred with other gentlemen concerned for the crown in the advice to alter the records, when Mr. Wilkes had been his client in the beginning of these very causes, and of consequence had imparted to him, as counsel, in whom he confided, the secrets of the intended proceedings both in the legal defence and attack. Mr. Wallace indeed denied this with unusual warmth; but Mr. Wilkes insisting on the fact, and being ready to prove it, the lawyer was pleased to make a

full confession of this meaness and treachery in the same place the very next morning, with the modesty, which has accompanied him through life.

In the second case likewise Michael Curry, in his evidence on the last of January, 1769, at the bar of the House of Commons, without oath, varies almost as much from his deposition on oath before the Lord Mayor on the 3d of August, 1768, as you find Mr. Wallace does from himself on the last of January and the first of February.

It is necessary further to premise, that there were several other articles in Mr. Wilkes's petition, besides the complaint of the general warrant and the seizure of papers, which are not inquired into, neither by parliament, nor by any court of law, and yet are of the utmost importance. Of this nature are the evasion of the Habeas Corpus

Corpus act, the close imprisonment for a bailable offence; the subpoena on an information for only a misdemeanor; the counternotices, signed summoning officer, sent to several of the jury only the day before the trials, and the producing papers seized under the general warrant as evidence on the trials; all which are entire new matter, and I think ought to be gone into by the House of Commons as the grand inquest of the nation in the ensuing session.

Mr. Wilkes had the authority of the house to summon a variety of witnesses so early as the 24th of November, who attended, at an enormous expence, till January 27, in order to prove every allegation in his petition; but on the morning it was to be heard, the majority determined that evidence should be gone into only on two points. He was likewise permitted to call for the office copy of the general warrant, &c. &c. to prove that part of
the

the petition, which was not garbled till the very day of its being heard. The only paper refused was, all such accounts as have been passed, declared, or received, from Philip Carteret Webb, Esq; late Solicitor of the Treasury, since Midsummer, 1762, from the auditors of the imprest, or their deputies.

On Mr. Wilkes's being brought before the house, the first time after his election as a member for the county of Middlesex (Jan. 27) and being called in to the bar, he stood up and said,

Mr. Speaker,

HAVING the honour of being elected one of the Knights of the shire for the county of Middlesex, I submit to the house, whether I ought not immediately, on this my first appearance in the House, to deliver in
my

my qualification, and to take the oaths, according to the directions of the act of the thirty-third of the late King, to enforce, and render more effectual the laws relating to the qualification of members to sit in the house of commons. I apprehend, Sir, that I ought not to continue here a moment till I have complied with the express injunctions of that act of parliament. I desire that it may be read.

When Mr. Wilkes had finished this speech, he was directed to withdraw ; as were also the counsel, on both sides, and the said act was read, when it was resolved, that his being in custody at the Bar, with his counsel, in order to support the allegations of his petition, without having taken the oaths, or delivered in his qualification at the table, was not any offence within the intent and meaning of any act of parliament made relative to the qualification of members to serve in parliament, and was therefore brought in

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to the Bar.

When the Speaker had acquainted Mr. Wilkes with the said resolution, he was again directed to withdraw, and the further hearing of this matter was adjourned to the Tuesday following.

January 31, Mr. Wilkes, according to order, was again brought to the Bar of the house of commons, when he stood up, and said,

Mr. SPEAKER,

I Am sorry to be obliged by the regard I have to truth, and the vindication of my honour, to take notice in this public manner of an injury repeatedly done me by you, Sir, in the Votes of this House, published to the nation by your authority, and in your name. I find it is asserted three times in the Votes of last November, that there is a record of blasphemy against me.
I am

sure that no such record ever existed. The assertion is entirely void of truth. I am therefore necessitated to make my appeal to the house against you, Sir, for having charged me with being convicted of a crime, of which I am innocent, and spread an unjust accusation through out the kingdom, under the sanction of the speaker's authority. In the good old Speaker's time, when any mistake accidentally, and none ever but by accident then crept into the Votes, the error was not only always acknowledged with candour, but speedily rectified. The false charge against me in so unjustifiable a manner still remains on your Votes in full force. I feel it, Sir, as I ought; but I now hope a reparation of my injured honour, which I submit to the wisdom and justice of this House.

Mr. Wilkes, and the counsel on both sides were then directed to withdraw.

And it was ordered, that the entries

in the Votes of the titles of the copies of the records presented to that Honourable House upon the 23d of November last, should be so altered, as particulary to express, that the words, "for a libel" and for "blasphemy," which was contained in the said entries, part of the titles indorsed by the officer who presented the said copies, and, of consequence, no part of the said records; nor intended to convey any opinion of the House concerning them,

Mr. Serjeant Leigh and Mr. Davenport were counsel for Mr. Wilkes in this matter, when Mr. Serjeant Leigh confined himself to two points, viz. the complaint against Lord Mansfield, and and Mr. Webb; and first, as to the alteration of the records by Lord Mansfield. Informations were filed; one for a libel, the other for an obscene and impious libel. The records he said, were, *to the purport following*: and after plea, and the evening before the trial, application had been made to
 Lord

Lord Mansfield to alter it to TENOR ; of this notice was given to Wilkes's Solicitor, who attended, and would not consent, when Lord Mansfield declared, that their consent was not necessary, and here upon he made the alteration. The trial came on the next day, and the petitioner stated, that the records were materially altered ; and, said the Serjeant, if it was not material, the alteration would not have been made. In order, therefore, to see whether material or not, he gave the legal import of the two words as follows:

TENOR signifies transcript.

PURPORT—general meaning.

He then added, it was therefore necessary, to set out the libel according to the TENOR; for, if *purport* had stood, it would have been a good objection in arrest of judgment, and mentioned a case of Lord Raymond ; King against Bagard.

The

The Serjeant then proceeded, secondly, to the other part of the charge against Mr. Webb.

Mr. Webb, said he, was Solicitor of the Treasury, and managed these prosecutions in that character, and acted as such, and appeared as such, in his conversation with the witnesses. As to Curry, he was first seduced to take a copy of the *Essay* from Mr. Wilkes's house; and, it is a fact, Webb applied to him, and that Curry went to Mr. Webb's house, who provided bed, &c. for him and a guinea and half a week, paid him by Webb's order.

It is also well known, that Mr. Webb told him what he should say upon the trial; that he was to give a receipt, and to say, that he borrowed the money on the trial.

That Mr. Webb declared to Curry he should be amply provided for, and that he employed him to compromise the other verdicts, and directed him what he should say.

And

And, said Mr. Leigh these transaction can only be discovered by accomplices: for Phillip Carteret Webb, Esq., had wrote a letter to Haffel, wherein he said, — Do so, — meaning by way of justification of Curry, and *that you all concur in one story.*

Searjeant Leigh concluded with saying, it could not be expected that he should trace this money to Mr. Webb as he was Solicitor to the Treasury, and always appeared as such in his dealing with these men.

Mr. Davenport, the other council for Mr. Wilkes, spoke much to the same effect, declaring the alteration of the records, as a question of great importance, and striking to the root of the justice of the nation; that it was contrary to common sense, and therefore could not be law.

Mr. Davenport then asked, What might be the source of this omnipotent practice? For, said, he, many things

pass

pass in the dark that will not bear the light; and practice will justify general warrants; &c. &c.

As to the second part against Mr. Webb, he insisted only on the heinousness of the offence.

Mr. Barlow was then called, to prove the alteration of the record as stated *, and to know whether he made

Middlesex.

In the KING's BENCH

THE KING

against

JOHN WILKES, Esq.

FRANCIS BARLOW, of the Crown-office, in the Temple, and William Hughes, of the same place, severally make oath; and first the deponent Barlow for himself saith, that on the 18th day of February last he received directions from Mr. Wallace

or

made application to Lord Mansfield for amendment of the record? To which Mr. Barlow answered, that he did make application on the 18th of February, 1764, on a Saturday; and

or Mr. Webb, to apply to a judge to get the information against the defendant amended, by striking out the word PURPORT, and inserting in its stead the word TENOR; that he this deponent did accordingly apply to the Right Hon. Lord Mansfield, and obtained a summons to shew cause why it should not be amended; a copy whereof is hereunto annexed: and this deponent, immediately after he had obtained the same, sent to two copies thereof, viz. one to the other deponent, Hughes, who was clerk in court for the defendant, and the other copy to Mr. Phillips Solicitor for the said defendant; and this deponent was informed, and does believe, that such copies were left that night at their respective house; and this depo-

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and said that he obtained two summonses to shew cause; that he served them on Mr. Phillips on the Saturday night; that on Monday morning he attended, with Mr. Hughes and Mr. Phillips, Mr. Barlow said, that Lord Mansfield asked the clerk in court, what

deponent Barlow further says, that in consequence thereof he this deponent, on Monday the 20th day of the same month of February in the morning, attended Lord Mansfield at his house, and there met the other deponents, Hughes, and Phillips; and this deponent remembers, that Lord Mansfield asked them what objections they had to such amendment, and that they or one of them made answer, that they could not consent; and this deponent remembers, that Lord Mansfield said he did not ask them their consent, but wanted to know what their objections were, and asked them if it was not usual or the common practice to amend informations.

what their objections were to such an amendment? To which Phillips said, he could not consent; that then Lord Mansfield said, he did not want their consent, only wanted to know what objection they had to it,

Mr. Barlow then declared, that the amendment was made by striking out PURPORT, and inserting TENOR, and that this amendment occurred more than once, and that the alteration was made in every place, except the first.

The following letter from Phillip Carteret Webb, Es. to Mr. Hassall, was afterwards produced in the House, and proved to be his own hand-writing.

Mr. HASSALL,

BEFORE Mr. Curay goes, desire him to put down in writing what passed between him, Mr. Faden, and you; and between him, and Churchill, and Carugie; and what Churchill said

of Murphey previous to the giving up the papers; and to state the particular slights, ill-usage, and affronts, he received from Wilkes before and after his going to France; and what passed on the d—d up the papers—I mean by way of justification of Mr. Curry, and that you may all concur in one story. Let Mr. Eaden leave directions where he may be sent to on his tour, if wanted. Besides the search during the first fifteen days in May last, please to search the latter end of May to the 5th of June, 1762, for the advertisement on the publication of the N. B.

Saturday Morn.

P. C. Webb.

After the producing of the above letter, Michael Curry was called in, when Serjeant Lee proceeded to examine him, in order to prove that after he had got the copy of the Essay on Woman, he was carried the same

same evening to Mr. Webb's house, when he was promised that he should be provided for, both with respect to board and and lodging ; and that Mr. Webb should say, that government would take care of him, if he would give evidence on the trial.

Question, to Michael Curry

Did you, in 1763, live with Mr. Wilkes, and in what capacity ?

I lived with him as a compositor.

Had you any directions about a copy of the Essay on Woman ?

He answered, Yes.

What directions had you ?

I had orders to print twelve, and to deliver them to Mr. Wilkes, though I did, I believe, thirteen.

Did you give a copy to any person ?

Yes, I gave one to Mr. Faden.

Who was he ?

A Printer in Fleet-street.

How came you to do so ?

Mr. Curry said, that there were
a few

a few pages got into the hands of another journeyman, and that they were shewed to one Palmer, and Palmer shewed them to Faden, Faden to Kidgell, and Kidgell to a noble Lord, whom he afterwards understood to be Lord March. After this, Palmer applied to him to see it; and, from a principle of curiosity, he would have let him see it, but a woman was in the room; he therefore proposed to meet him and shew it another time. But, in the interim, he suspected something, and on that account, did not bring the copy with him. He (Palmer) then offered him two guineas, when Curry asked him the reason, saying, "Why would you give me two guineas, when it is not worth six shillings?" They then parted, and Curry advised him to call on Sunday morning; when he told him, he had burnt the copy.

After this, Curry was applied to by
Hassal,

Hassal, who was an overseer to Faden, who told him, Faden would be glad to see him. He accordingly met Faden, who said, he had seen the pages, and that they were done at one house, and desired a copy. Curry pretended ignorance, as a friend had advised him to be cautious in the affair. Faden a second time desired the copy, and said he would make it worth his while, and he might claim any sum as a security that the copy should be returned. Upon this, Curry went another evening, and had a friend with him, when the same offers were strongly repeated by Faden, with this plea, that it was to serve some people, who would make it worth his while. They then broke up, without any determination, though Curry had many offers afterwards. About this time there was a clamour, from both parties, that he would be prosecuted for felony about the *Essay*; Curry then made
ap-

application to Churchill, who gave a short answer, and said, as to what the people in power could do they might be damned. However, he said he would write to Mr. Wilkes.

when Mr. Wilkes. returned from Paris, Curry applied to see him, but was refused; and the report gaining ground that he would be prosecuted for felony, he went to Faden, and in a passion, surrendered it to him; on which, he gave him five guineas as a security to return it.

As soon as Curry had surrendered the *Essay*, Faden asked him if he would go to Mr. Webb? Curry agreed, and Faden and he went in the evening, where Mr. Kidgell was, and a Solicitor, who lived in Wallbrook. Very little, said Curry, passed then, except that Mr. Webb told him, he should dread nothing. They supped there; and Faden was ordered to take Curry out of town, either then, or, in a day

a day or two; who accordingly went to Hounslow, and returned the 15th of November, 1763.

A question was then asked Curry, what conversation passed between Webb and him, about his evidence before the House of Lords?

He said, Nothing, except, that he should not be afraid; that he would take care of him; and added, that he had lived in Mr. Webb's house for a week together; that he was confined there; and that they would not let him go out.

He was then asked, if he had received any pay, either from Mr. Webb, or from any other person? To which he answered, that he had told Mr. Webb his circumstances, who said, we will see Lord Sandwich. They then went there, and at the bottom of the stairs, when they came down, Webb said, "Go to Carrington."

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O

When

When Curry went to Carrington, he asked him what money he wanted? Curry answered, about a guinea and a half per week; and that this sum he received for some time, the 21st of June, 1764, being the last payment, the first commencing the Tuesday after the parliament met in 1763.

Curry was then asked, how many copies of the *Essay on Woman* were delivered to Mr. Wilkes.

He said, twelve, or thirteen, though they printed more than that number, as it was usual to print a copy for themselves.

He was asked, how many more he printed, than was directed.

He first said two; afterwards four; besides some loose ones, perhaps ten; for, as they were printed in red, that colour would not take so well as black, and therefore they spoiled more sheets.

He

He was asked, whether it was usual to print more than were ordered? And whether customary to keep so many copies? In the country, he said, sometimes they did.

Mr. Wilkes being present, asked him, Whether he did not give him express orders not to show any part of it to any person? And whether he did not charge him to deliver those twelve into his own hands?

To which Curry said, he did. The Question being put, what induced him to keep the copies? Curry declined to answer it.

It was next asked, if Curry gave receipts for these several sums of money? To which he said,—That he had given receipts for all; though Carrington often pretended that he had lost the receipts, and thereupon he was obliged to write others.

—What did Curry understand by being protected, when Mr. Webb promised him his protection? — He answered, that he thought to have a place under the government, or, at least, that he should have been taken care of.

—What conversation passed, while he was with Webb, at Lord Sandwich's? And whether during their talk, he understood that some provision was to have been made for him? Curry answered, that his Lordship informed him he might depend on any thing in his power, or in his department; and from this reply he understood he should have been provided for.

—What could induce Curry to make an affidavit? — He said, that whilst he was publishing a narrative in the city of Norwich, where he lived, he received a letter from town, which said, that if he would publish the
heads

heads of the case, it would answer very well to him; and that it was for this purpose only that he made it.

On his being asked, what gentleman it was who advised him to make it, the question was objected to; but being again repeated, (after Mr Wilkes and the council had withdrawn) Curry said he was advised by Mr. Manning, and Mr. Eggleston, two Printers; that Mr. Wilkes had asked him, if he would swear to it; but that no reward or gratuity of any kind had been offered or given.

No farther questions being proposed Curry was ordered to withdraw.

Lord Sandwich being brought in by the Serjeants and mace, sat in the chair with his hat on, inside the bar, when it was asked, whether he knew of a promise of a place, or money, or other provision made by Webb, for Curry to become a witness on the tri-

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on the information on the Essay on woman? To which his Lordship answered, that he had no knowledge of any thing of that kind.

— Whether Webb ever informed his Lordship that such promise had been made? He said, Never.

— Whether Curry did not come to his Lordship's house on that account? His Lordship said, that he came after he had given evidence at the Lords; that he complained of poverty, and wanted a promise from him, telling his Lordship, he had done a good act; to which he answered, he thought he had. Curry added, and said, that he had been neglected, and hoped that something would be done. His Lordship replied, he hoped merit would be rewarded, and wished that something might be done. Curry desired money; but his Lordship said, it was out of his department, and he had nothing to do with it.

Did

Did Webb ever ask your Lordship for an employ for him? He said never; adding, that he had nothing to give that Curry was fit for.

It was then asked, what Curry's errand was at his Lordship's house? His reply was, that Curry wanted money, which he refused to give him. His Lordship then withdrew.

The Earl of March being next called, and a chair being placed in the inside of the Bar, he sat with his hat on, &c. when the *Question* was put,

— Whether his Lordship had any conversation with Kidgell about the Essay on Woman? His Lordship answered, that he did come to him; and being asked whether Webb was present, said, that he did not know him by sight; and that he had never seen him till within ten days, as he remembered,

Disco

Mr.

Mr. Wilkes being at the Bar, asked his Lordship, what passed between him and Mr. Kidgell? to which his Lordship said, that he was ready to answer that question, if the house pleased to propose it; but the House not thinking it material, his Lordship withdrew; as did Mr. Wilkes, and his council.

Nathan Carrington being next called, the *Question* was asked, whether he had paid any, and what sums to Michael Curry, and on what account and by whose orders, particularly, in the months of October or November, 1763? Mr. Carrington replied, that he did not remember paying any in October; but that in November he recollected that Curry came to him, and applied for some subsistence money; that he said he was poor, had applied the trade as a printer, and
could

could get no work. Mr. Carrington said, that then he asked Curry, why he came to him? Curry made answer, and said, that Mr. Webb had told him to make the application. Mr. Carrington, after asking what he expected, and Curry telling him that Mr. Wilkes used to give him his diet and a guinea per week, and after some discourse, agreed to give him a guinea and a half per week, and accordingly then paid him subsistence for one week, telling him, if he had farther orders to go on with it, he should have the same. Mr. Carrington said, that Curry did come again, and that he paid him after the above rate for about thirty weeks, for which he had all the receipts.

Mr. Carrington was asked, if he gave him any more, he said, he never did; and that he acquainted Mr. Webb the first week, with what he had done, and Webb thought it pro-

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proper to give him that sum weekly, as he (Curry) was special poor. Nothing but common discourse passed between Webb and Carrington at that time. It was then asked, whether Webb assigned the reason when he took the receipt? This was answered in the affirmative; and the reason which Mr. Carrington gave, was, that otherwise he would not have been allowed it again; but, as it stood, he intended to have charged it in his quarterly bill and to have passed it with one of the clerks of the cheque, blending it with other things. Mr. Carrington being asked, from whom he received this, answered, that the clerk of the cheque passes it, and, after him, the Secretary of state; that then it remained for him to sign it, and that intitled him to receive it from the King's Treasury-chamber.

Mr. Carrington informed the House, that this money had always been

blended together, among many other articles, and was entered by him in the account, in the proper and usual manner. How then, it was asked, could the clerk of the cheque go through a blended account? Because, said he, it consisted of items. What, then was the item? To whom was it paid? And for what? *The account*, said Carrington, *is in the Auditors office.* He was again asked, from whom he received this money? He said, that he either had it from the Treasurer of the Treasury-chamber, or his deputy, or his clerk.

— Was it public money? He did not know.

— What did he think? He could not tell but it *was public money in that office.*

— What hand did he receive it from? He could not recollect.

— Was it from the Treasurer? No; *he never received any money from the Treasurer.*

Treasurer in his life; but there was a deputy and clerk.

— Was he present with Webb and Curry? Never alone; there was more company. And being asked who they were? Replied, *a great many, whom either he did not know, could not recollect, or hear talk in conversation.*

Mr. Carrington was then cross examined.

And asked whether it was not the course of government to allow witnesses subsistence. Carrington said, that it always had been so, and if it was not so, he did not know what government would be. The *House* then asked him, if he often made such accounts? Yes, he said, very often.

— In what terms did you make these accounts? He made them in items ;

sometimes large sums contained a great number of *items*; sometimes in particulars, so many witnesses such and such by names: &c. &c. &c.

—It was then asked of Mr. Carrington, if he had orders from Mr. Webb, to pay this money to Curry any time after the first? To which he said, that he always gave an account of it to the Secretary of State's office, and that there it met with approbation. But the question being again repeated, Mr. Carrington said, that he did receive orders from Mr. Webb.

—Were any of the thirty weeks (the time of Curry's being in pay) subsequent to Mr. Wilkes's trial? Mr. Carrington thought they were; and that the subsistence money ceased when he received his verdict money. Being asked, whether it was usual to pay the witnesses after the trial was over? He answered, that indulgence was shewn according to the circumstance

as they had behaved.

— What office do you bear? a messenger, said Carrington, till disabled.

— Did you act as messenger here? He did, he said, and forty years before.

— Then from your practice, is it customary for the King's messengers to issue money to the King's witnesses? He replied, that it was always the custom.

— Was you the judge, or, did you receive your direction from somebody else? He answered, from somebody else, but generally from the solicitor of the Treasury, or in consequence of a note from the Secretary of State; but in this case Mr. Webb brought him no note from the Secretary of State; only talked about it; and said, Carry he thought should be subsisted.

— Can you produce a written voucher to the clerk of the Checque, of a written authority? Mr. Carrington

confessed that Mr. Webb gave him an authority under his own hand; and being further asked, if this was done in the common ordinary course of business, he answered, it was the direct way, and he never knew any other.

Mr. Carrington then withdrew.

Samuel Jennings, a Printer, being called in, was asked, whether he was with Webb and Curry together; but answered in the negative, immediately withdrew.

William Faden, next called in, was asked, whether he obtained the Essay on Womgu from Michael Curry? To which

which Mr. Faden answered, that he did.

— Did you go to Webb with Curry? He said, that a coach was brought to his house, that he went to Webb's with Curry; at whose house he met Kidgell, and there was none else there then.

— What conversation passed, as to the evidence? He could not remember: he staid there an hour and an half; and whether Curry came with him he could not say.

— What, do you mean to say there was no conversation about evidence? He did not remember; he could not recollect that there was,

— Do you remember going out of town? Yes; he remembers that; and that it was on the Saturday before the House sat, in 1763; and he also remembers that he came to town on the Tuesday morning.

— The Question, Did you receive
a Copy

copy of the Essay on Woman from Michael Curry? was repeated. Yes; he remembers that too! and that he deposited five guineas to return it! that he never received a farthing from government in his life! that Mr. Kidgell had it at his house! and that he had never any thing to do with any Lord or Gentleman in the administration! ! !

Mr. Hassel being called, said, that he had wrote a little detail of what he transacted in the affair; and that he sent it to Mr. Webb; but does not remember any circumstance that ever passed between Webb and Curry. He then withdrew, and the letter from Hassel to Webb was read; when the evidence closed on the part of the petitioner.

Mr. Serjeant Leigh then declared, that in this state of the case, he would

trouble the house to sum up, but should reserve himself for reply.

Then Mr. Wilkes, and the council on both sides, directed to withdraw.

The House did not break up till past two o'clock in the morning; when they appointed the hearing of the matter of so much of the petition of John Wilkes, Esq. as that House had directed should be heard, and of the proceedings on several informations in the court of King's-Bench against the said Mr. Wilkes; and also the hearing of Philip Carteret Webb, Esq. by himself or his council should be adjourned till twelve o'clock the same day.

Mr. Wilkes was again ordered into the custody of the Marshal of the King's Bench prison. The lobby of the House of Commons was extremely crowded with people, waiting the decision of so important a point, who when the house broke up, attended

Wilkes with loud acclamations of joy to the King's-Bench, in full expectation of his cause being determined in his favour in the course of the ensuing day.

The hearing of the matter of the charge against Mr. Wilkes for being the author and publisher of the introduction of the copy of a letter, addressed to Daniel Ponton, Esq. Chairman of the Quarter Sessions at Lambeth, and dated St. James's inserted in the St. James's Chronicle of Dec. 8, 1768, was appointed the same day at twelve o'clock; for which, and the further hearing the petition, Mr. Wilkes was ordered to be brought in custody to the bar of the House that day at twelve o'clock, copies of the said orders being sent to him accordingly.

It was ordered likewise, that Henry Baldwin, the printer of the St. James's Chronicle, and John Swan, news-gatherer, collector,

collector, should attend the House at the above time.

But before we enter upon this day's examination, it may not be improper to introduce, here, the case of Mr. Wilkes, as submitted to the consideration of the House of Lords, with their reasons and determination thereupon, which are as follow :

JOHN WILKES, Esq.

Plaintiff in Error,

A N D

Our Sovereign Lord the KING,

Defendant.

Upon two judgments in the court of King's-Bench, on two informations for libels, viz. One information for publishing

a libel, intituled, the NORTH-BRIT-
TON, No. 45, and the other for
publishing a libel, intituled, an ESSAY
on WOMAN.

The Case of the Plaintiff in Error.

Hilary Term, 3 GEORGE III.

SIR Fletcher Norton, Kt. then
Solicitor-General of his present
Majesty, did, by virtue of such his
office, exhibit the aforesaid informa-
tions against the said John Wilkes,
in the court of King's-Bench, for
publishing the compositions or libels,
in those informations mentioned, as
containing matters to the Purport and
effect, in the said informations respec-
tively specified — to which informati-
on the said John Wilkes pleaded Not
Guilty, and issues were thereupon
joined.

The records of *Nisi prius*, transcribed from the Court Rolls, were sent under the seal of the court, to the Right Hon. William Lord Mansfield, his Majesty's Chief Justice of the said court, assigned to try those issues, and afterwards and before the trial, both the records were altered and amended by charging the said compositions, or libels, to contain matters to the Tenor and effect, in the same informations respectively specified, instead of BURPORT and, the said John Wilkes did not plead, nor was called upon to plead *de novo*, and the trials were had upon the records so altered and amended, and the said John Wilkes upon his defence at the said trials, was convicted. He was afterwards outlawed upon such convictions, but both the outlawries have been since reversed for error. On Wednesday the 27th day of April last, the said John Wilkes, upon the writ of *Capius Utlagatum*, was

was committed from the custody of the Sheriff of Middlesex, who apprehended him; to the Marshal of the King's Bench, and remained in his custody in the King's Bench prison, from that time until the 18th day of June in

Trinity Term, 8 GEORGE III.

when the court of King's Bench pronounced the following judgment upon him, upon the information for publishing the NORTH BRITON, and the verdict thereon, viz. "That the said John Wilkes, for his offence, do pay a fine to our Sovereign Lord the King, of 500 l. of Lawful money money of Great Britain, and that he be imprisoned in the custody of the aforesaid Marshal for the space ten calendar months then next ensuing; and the said John Wilkes present here in court, is committed by the court
here,

here to the custody of the aforesaid Marshal, to be by him kept in safe custody, in execution of the said judgment aforesaid, and until he shall have paid the said fine”

And the court on the same day, immediately afterwards, pronounced against the said John Wilkes the following judgment upon the other information, and the verdict thereon, viz. “The said John Wilkes having been convicted of certain other trespasses, contempts, and misdemeanors, for printing and publishing a certain other libel, intitled, the NORTH BRITON, No. XLV. for which the said John Wilkes hath this day been sentenced, and ordered, by the court here to pay a fine to our Sovereign Lord the King of 500 l. and to be imprisoned in the custody of the aforesaid Marshal for the space of ten calendar months. It is considered by the court here, that the said John Wilkes,

Wilkes, for his trespasses, contempts, and misdemeanors, in printing and publishing the said obscene and impious libel, intituled, An Essay on Woman, and other impious libels in the aforesaid information specified, whereof he is impeached and convicted, do pay a further fine to our Sovereign Lord the King of 500l. of lawful money of Great Britain, and that the said John Wilkes be further imprisoned, in the custody of the said Marshal, for the space of twelve calendar months, to be computed from and after the determination of his aforesaid imprisonment, for printing and publishing the said ther libel, intituled the NORTH BRITON, No. XLV. and it is further considered by the court here, that the said John Wilkes do give security for his good behaviour, for the space of Seven Years, to be computed from and after the end and expiration of the said

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twelve callender months, to be computed as aforesaid; to wit, himself, the said John Wilkes, in the sum of 1000l. with two sufficient sureties, in 500l. each; and the said John Wilkes, present here in court, is committed by the court here, to the custody of the said Marshal, to be by him kept in safe custody, in execution of the judgment given by the court here, and until he shall have paid the said fine, and given such security as aforesaid."

The plaintiff in error hath brought two writs of error parliament, in order to reverse the judgments given by the court of King's-Bench, and hath assigned for error, in both these judgments, that there was a variance between the records and the original informations filed against him, in this, that the original informations charged him with having published the several libels aforesaid, as containing matters

to

to the purport and effect, in those informations specified: whereas in the records he charged with having publishing the same libels, as containing matters to the tenor and effect, in the same informations specified.

And thereupon he prayed two writs Certiorari, which was granted. And by the return thereto it appears, that the original informations aforesaid are sent to our Sovereign Lord the King in this present parliament, as fully intirely as the same are filed, entered, and remain in the custody of the said Lord chief Justice of the court of King's-Bench; and thereby it also appears, that the said records, and the and the same original informations, are consistent, and that there is no variance between them: wherefore on the part of the plaintiff in error, it is apprehended that he is concluded from making any objection, with respect to the propriety of the aforesaid

amendments and trials, under the above circumstances, that being a question proper to be agitated in the court of King's Bench only, which has decided upon it, and not the subject matter of errors.

The FIRST ERROR

is assigned by the plaintiff in error, decisive upon both the judgements, viz. That it does not appear by the said records, that the said Sir Fletcher Norton, Knt. by whom the said informations against the said John Wilkes were exhibited, had any lawful power, warrant or authority, according to the law of the land, to exhibit the said informations in the records aforesaid specified; and therefore, that the said informations are not sufficient informations in law whereon

whereon to convict the said John Wilkes of the offences in and by the same informations charged upon him, and to ground the aforesaid judgments against him.

Whereupon the plaintiff in error humbly hopes, that the judgments of the court of King's Bench will be deemed erroneous, and will be reversed for the following (among other)

R E A S O N S.

- I. Because the said informations are exhibited and filed by the said Sir Fletcher Norton, as his Majesty's Solicitor General, *ex officio*, when, by virtue of such his office, he had no general authority so to do.
- II. Because it does not appear, that he had any special authority so to do.

Much

Much doubt has been formerly entertained, by those who were most iemently distinguished for their knowledge of the criminal laws of this country, whether any criminal informations were lawful. The constructions of *Magna Charta*, cap. 29. some antient statutes, and books of law, declare and agree, That no man can be charged by indictment or presentment.

— In the case of the King and Birchet and others, 1 & 2 William and Mary, reported in 5th Mod. 463, and there called Prynne's case, Sir Francis Winnington averred, that Ld, Chief Justice Hale had often said,

“ That if ever informations came “ in dispute, they could not stand, but must necessarily fall to the ground.” — It is admitted, however, that the cour of King's Bench in that case held, that informations lay at common law.

The present question therefore will be

be who are the Officers known to the law, and described in the law-books, as the persons with whom only this right of exhibiting informations *ex officio* rested? — It may clearly collected, from the authority of the legislature, and the law books, that these officers were only the King's Attorney General, and the King's Coroner, to which latter is always added in such cases, the title of Attorney also. — No act of parliament, no law book, mentions any other officer, as having this power in any case, or under any circumstance. — From the King's Coroner this power was taken away, by the statute 4 and 5 William and Mary, cap. 18, and was then left in the Attorney-General only. — Serjeant Hawkins, in his second volume of Pleas of the Crown, fol. 268, observing upon that statute's taking away this power from the King's Coroner and Attorney only, says, from whence it follows, that

that informations exhibited by the Attorney General remain as they were at common law.

Such informations can only be exhibited in the court of King's-Bench, of which court the King's Attorney-General and the King's Coroner and Attorney, commonly called the Master of the Crown-Office, are Officers upon record, and have their known seats and places there as such.

Sir Bartholomew Shower, in his reports. fol. 114, in the same case above mentioned, in cap. 5. and its proviso in sec. 3. providing, " That
 " that Act shall not extend to any
 " such Officers of Record as have,
 " in respect of their offices, theretofore lawfully used to exhibit informations," that it is the judgment of parliament, that there were officers to exhibit them, and those that are ment must be the Attorney and his deputy the Coroner, for I know, says he,

he, or no other.—It may be thought that Sir Bartholomew Shower is inaccurate in calling the Coroner, deputy to the Attorney, because the Coroner has a superior seat in the court of King's-Bench to the Attorney.—but Sir Bartholomew Shower must be understood to speak of the Coroner, as Deputy only in this instance, he not having equal power with the Attorney over the information when exhibited; for the Coroner cannot put a stop to it, even though he should have the King's warrant under his Sign Manuel for that purpose; and yet the Attorney General can, by virtue of his office, stop it at once by a *Noli Prosequi*, which appears by the case of the King v. Benson, 1 Vent. 33. Sir Bartholomew Shower, fol. 120, says further. That in case of malicious prosecution, no action lies against the Attorney or Coroner, any more than against a Grand juror or Prosecutor.

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Prosecutor ; and the reason given for it is, because they are upon their oaths, and so, says he, they (meaning the Attorney and Coroner) here as officers upon record — and fol. 122, he says, the way apprizing the court is, by *Dedit Curiae hic intelligi & Informari*, before any process which is done by a Sworn Officer — Filed of Record.

If it be contended, that during the vacancy of the office of Attorney General, his authority in this respect devolves upon the Solicitor General, it is answered, That no law book, not judicial determination, warrant that argument. — It is admitted, that there are some modern instances in the Rolls of the Crown-Office, of informations filed by the Solicitor General *ex officio*, some of which describe the vacancy of the office of Attorney General, as if that was the circumstance, from which the Solicitor General

derived his authority, and raised to himself this power.—But as the others are silent about such vacancy, they must prove a general original authority, or nothing; because if special authority is to give the title, it must, by the rules of law, be set forth in the Record, for nothing out of the Record can warrant the judgment upon the record — There does not appear to be one instance of a litigation, or judicial opinion, concerning such informations filed by the Solicitor General.

It appears upon the records, that the Attorney General became the prosecutor of the present informations, before the judgments were given. But no adoption afterwards by the Attorney General, of these illegitimate offspring can sanctify their birth. —If the informations were bad when they were filed, no subsequent act whatsoever could make them good.

Wherefore, as the legislature have not substituted, nor ment to substitute the Solicitor General, or any other person or persons, in the room of the Coroner, from whom they took this power, or in the place of the Attorney General during the vacancy of that office, as it was always in the power of the King to supply that vacancy at any moment he pleased; as the legislature have left the Attorney General, the only known officer in law, authorised to exhibit criminal informations ex officio; as the Solicitor General is no sworn officer of of the court of King's-Bench, either filed of Record, or otherwise; as all the law books are consistently silent, about any power lodged in him for such purpose; as this power has of late time only been usurped by the Solicitor General in some modern instances, and those too varying in their form, as if he did not know on what ground

ground he claimed or exercised the power; and as he appears to have no warrant, or authority whatsoever, to act in this instance, as Attorney for the Crown, it is humbly submitted by the plaintiff in error, that the informations in question were filed without any lawful authority, and for that reason are fundamentally bad and void, so as not to warrant any judgments upon them against the plaintiff in error.

The plaintiff in error therefore humbly hopes, that for these and other reasons to be offered at the hearing, the said judgment shall be reversed.

The SECOND ERROR

is assigned by the plaintiff in error, as affecting only part of the judgment
given

given by the court of King's Bench, upon the information for publishing the libel, intituled an ESSAY on WOMAN, viz. that by that judgment, he is sentenced to be imprisoned for the space of twelve months, to commence at a future time after the giving that judgment.—Whereas, by the law of the land, such imprisonment ought to comence, at and from the time of giving the judgment, and not at any future time.

Whereupon the plaintiff in error humbly hopes, that that judgment, as to the commencement of the imprisonment, will be deemed erroneous and will be reversed for the following (among other)

REASONS.

R E A S O N S.

All judgments in law, as they affect either the the property or the persons of those against whom they are given, ought to contain in them the clearest and most precise certainty, and to take immediate effect; but more especially, such judgments as lay a restraint upon the libery of the persons of his Majesty's subjects.

The present judgment is deficient in both these points.

- I. It does not take immediate effect, but is to commence in future, viz, after the determination of another imprisonment, inflicted upon the plaintiff in error, by another judgment, given upon a different record, totally unconnected with this.
- II. It does not contain any precise certainty

certainty — because it is uncertain when the first imprisonment will determine; upon the determination of which alone, the imprisonment under this judgment is to commence. If the judgment, sentencing him to the first imprisonment, should be found erroneous, it is not easy to say upon this record, whether all the first imprisonment, previous to the reversal of the judgment, is to be held for nothing, and the twelve months to be computed from the time of such reversal only, or from the commencement of the first imprisonment, all of which would be unlawful.

Who is to be the udge of this; It is to the discretion of the Marshal, how to settle the computation; or is he prisoner to go through another expensive litagation before the court of King's Bench, by way of petition

petition or motion to be discharged?

If judgments could lawfully commence in future, they may as well commence at a long, as at a short date, and would be the instruments of great oppression; not by the immediate execution of the present and certain punishments, but by holding suspended terrors over the heads of those who are objects of them. The plaintiff in error therefore humbly hopes, that so far these, and other reasons to be offered at the hearing this judgment shall be reversed, as to the commencement of the imprisonment, and that it shall be taken and adjudged to commence, at and from the time of pronouncing the judgment.

JOHN GLYNN
THOMAS DAVENPORT.

In Error.

HOUSE OF LORDS.

BETWEEN

**JOHN WILKES, Esq. Plaintiff in
Error.**

AND

**Our Sovereign Lord the KING,
Defendant in Error.**

**On an information for printing and
publishing a seditious libel, intituled,
"The NORTH BRITON,
No. XLV."**

Michaelmas Term, 1763.

S I R Fletcher Norton, Knight, his Majesty's then Solicitor General (the office of Attorney General being vacant), filed an information, ex officio, in his Majesty's court of King's Bench, against John Wilkes, Esq. the plaintiff in Error; which information states, that before the printing the seditious and scandalous libel therein after mentioned, to wit, on the 19th day of April, in the third year of his present Majesty's reign, his Majesty did make and deliver a most gracious speech from his Throne, to the purport and effect therein set forth, and that the said John Wilkes, most audaciously, wickedly, and seditiously devising, and intending to vilify and traduce his Majesty, and his government of this realm; to impeach and disparage his veracity and honour;

and to represent, and cause it be believed, amongst his Majesty's subjects, that his said most gracious speech contained falsties, and gross impositions upon the public; and that his Majesty had suffered the honour of his Crown to be sunk, debased, and prostituted, and had given his name as a sanction to the most odious measures of government; and also, most wickedly, unlawfully, and seditiously advising, intending, and [endeavouring, as far as in him the said John Wilkes lay, to excite disobedience and insurrects amongst the subjects of this realm, and to violate and disturb the public tranquillity, good order, and peace of this kingdom; after the making and delivery of the aforesaid speech (that is to say) on the 2d day of August, in the said third year of the reign of our said Lord the King, unlawfully, wickedly, seditiously, and maliciously publishing, and caused to be printed and published,

published, a certain malignant, seditious, and scandalous book and libel, intituled "The NORTH BRITON," in one part whereof, intituled, No XLV. Saturday April 23d, 1763, were then and there contained (among other things) divers malicious, seditious, and scandalous matters, to the effect in the said information set forth.

There is a second count in the information, charging that the aforesaid John Wilkes again most audaciously, wickedly, and seditiously devising, intending, and endeavouring to vilify and traduce his Majesty, and his government of this realm; to impeach, disparage, and defame his varacity and honour; and to represent, and cause it to be generally beleived, amongst the subjects of this realm, that his Majesty had suffered the honour of his Crown to be sunk and debased, and had prostituted his name, in order to give a sanction to the most odious measures,

measures and to the most unjustifiable declarations from his Throne: and also most wickedly and seditiously devising and intending excite amongst the subjects of this realm, a general discontent and pifaffection to his Majesty's government, and a spirit of disobedience to the laws of this realm and maliciously to violate and disturb the public peace, good order, and tranquility of this kingdom; after the making and delivery of the aforesaid speech (that is to say) on the 2d day of August aforesaid, wickedly, unlawfully, and seditiously published, and caused to be printed and published, a certrin other malicious, seditious, and scandalous libel, intituled, No. XLV. Saturday April 23, 1763: in which said last mentioned libel were contained, concerning his Majesty's Attorney General, joined issue in that character for his Majesty.

Sittings after the same Term, the
cause

cause was tried by a special jury of the county of Middlesex, when Mr. Wilkes, after a full and fair trial, was convicted of the offences charged in the information.

Mr. Wilkes having withdrawn himself in parts beyond the seas, proceedings of outlawry were had against him, upon the above-mentioned conviction; and,

On the 1st of November, 1764, Mr. Wilkes was out-lawed; and

In Easter term, 1768, he was apprehended by the sheriff of Middlesex, by virtue of a writ of *Capias ut legatum*, and being brought into the court of King's-Bench, was committed to the custody of the Marshal of that court.

The same term, Mr. Wilkes obtained a writ of error upon the outlawry, and having assigned errors thereon, the same were argued in that and the following term,

Trinity Term following, the court of King's-Bench were pleased to reverse

verse the outlawry for a defect of form in the return of the sheriff to the writ of exigent.

Mr. Wilkes's council having surmised to the court some matters, which, if available, ought to have been moved, in arrest of judgment, and for a new trial, the court relaxed their general rule, requiring such applications to be made within the first four days of the term immediately following the conviction, and indulged Mr. Wilkes with leave to move now, as well as in arrest of judgment, as for a new trial.

The ground of the motion in arrest of judgment, was to the information having been exhibited by the Solicitor General was not the proper officer, nor had any authority, to exhibit an information; and if he was vested with such authority, it could only be temporary, during the vacancy of the office of Attorney General, and it did not appear by the

proceedings, that the office of Attorney General was at that time vacant.

The application for a new trial was founded upon an order made by the Lord Chief Justice of the court of King's Bench, for amending the information after issue had been joined, and the record of the issue made up.

The court, after argument by council, unanimously over-ruled both the objections, and took time to consider of their judgment upon the conviction.

June 17, 1768, Mr. Wilkes being brought into court to receive judgment, was sentenced to pay a fine of 500 l. and to be imprisoned ten calendar months in the custody of the Marshal.

Mr. Wilkes hath brought a writ of error in parliament upon the judgment of the court of King's-Bench, and assigned the following matters for error :

I. That no judgment ought to be given against him.

II. That it does not appear that Sir Fletcher Norton, by whom the information was exhibited, had any lawful power, warrant, or authority to exhibit the said information, and therefore the judgment is not sufficient in law to convict Mr. Wilkes, and to ground the aforesaid judgment against him.

III. That there is a variance between the record and the original information, consisting in this, that in the record Mr. Wilkes is charged with having published, and caused to be printed and published, the respective libels and compositions therein specified; and respectively containing (amongst other things) to the tenor and effect in the record in that behalf specified, whereas in the original information he is charged with having published, and caused to be printed and published, and caused to be printed and published, the respective

respective libels and compositions therein specified ; and respectively containing, amongst other things, to the purport and effect in the said original information in that behalf specified ; and in order to verify this error, Mr. Wilkes obtained a writ of *Certiorari* to certify the original information.

The writ of *Certiorari* being returned to his Majesty's Attorney General rejoined to the errors assigned, and humbly hopes that the judgment of the court of King's-Bench shall be affirmed, for the following amongst other

R E A S O N S.

- I. An information for an offence is a surmise or suggestion upon record, on behalf of the King, to a court of criminal jurisdiction, and is, to all intents and purposes,

poses, the suit of the King; and it will be difficult to assign a reason, why his Majesty should not have equal liberty with the subject, of commencing and prosecuting his suits, by those persons whom he thinks fit to confide in and employ.

The Attorney and Solicitor General are, by their office, with general authorities, to commence and prosecute the suits of the crown: it is true, the Attorney General, as the superior officer, has the direction and controul of his Majesty's prosecutions, in which the Solicitor General seldom interferes; but it is equally true, that during the vacancy of the office of Attorney General, all the suits of the Crown, both criminal and civil, are commenced, prosecuted, and carried on by the Solicitor General.

II. At

At the time this information was filed against Mr. Wilkes, the office of Attorney General was vacant, and consequently the Solicitor General was the proper officer to exhibit it; but it has been, and probably will again be, contended with the plaintiff in error, that the fact of the vacancy ought to appear upon the record. The only pretence such averment is to inform the court of the vacancy, as an inducement to receive the information from the Solicitor General; but there is no necessity for that intelligence; the Attorney General is, in truth, an officer of, and as a place in, the court of King's-Bench, and the court will take notice of the vacancy of the office; and there are a multitude of instances of suits commenced and prosecuted by the Solicitor General on the behalf

behalf of the Crown, without any averment or notice taken of the vacancy of the office of Attorney General.

- III. If the circumstances of an information being filed by the Solicitor General furnished any real ground of objection to the prosecution, yet it is conceived that the plaintiff in error is now precluded from availing himself of it; it could at most amount only to an irregularity, and the remedy must have been by application to the court to have the information taken off the file, or the proceedings stayed; it could never be a cause of demurrer, or of an arrest of judgment, or a ground of error; and Mr. Wilkes having pleaded to the offence, has waived any advantage of that irregularity: besides, the Solicitor General having, during the suit, being appointed Attorney General, argued

gued the information, joined issue with the plaintiff in error, and prosecuted the suit to a conviction.

- IV. The third error assigned is, upon a supposed variance between the record and the original information; but the fact does not warrant that objection; and it is conceived, that the said supposed error is so assigned, only for the purpose of introducing into the cause a matter, which the plaintiff in error has thought proper frequently to alledge as a subject of grievance and complaint; and although there is not the least colour for the complaint, yet as the manner, in which it has been urged, seems to touch upon the honour of the Crown in the administration of justice, and highly to concern the credit and dignity of his Majesty's court of King's-Bench, it is greatly to be lamented that
it

it cannot be brought judicially before your Lordships: the real truth of the case being nothing more more than this, that by order of the Attorney General, a summons was directed to be applied for, after issue joined, and before the trial, from one of Judges of the court in the usual course of business; and a summons was accordingly applied for and obtained from the Right Honourable Lord Mansfield, for an attendance, to shew cause why the information should not be amended, by altering the word "PURPORT" for that of "TENOR" throughout the information (except in the first place) which, upon such attendance by the clerks in court on both sides, was accordingly ordered, and the amendment made.

Mr.

Mr Wilkes's council made no objection to this at the trial, nor in the ensuing Term, as might have been done, and not till Trinity Term 1768, when that amendment was made one ground of a motion in arrest of judgment, but as such an objection could be regularly made in arrest of judgment, the court were pleased to give him leave to make it upon a motion for a new trial; and the same being made accordingly, and it clearly appearing, that the amendment was made in conformity to a multitude of precedents, and to the constant usage of the court; and that it was not, and could not be, of any prejudice to the defendant; and that he himself, instead of complaining of it, as he might have done, had acquiesced under it the court unanimously overruled the objection, as a point on which no doubt could be entertained. For these and other reasons to be offered at the hearing, it is hoped the

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judgment of the Court of King's-Bench
shall be affirmed.

W^m DE GRAY.
E. THURLOW.

February 1.

At twelve o'clock this day came on the further hearing of Mr. Wilkes's petition, when Mr. Wilkes was brought up to the House, who, together with the council and Mr. Wallace were called in: and the House being informed that Mr. Wallace was desirous of explaining some part of his evidence which he gave the day before, as to his having been council for Mr. Wilkes, he was desired to explain himself, when

Mr. Wallace declared,—That after he was examined on the merits of the question the day before, Mr. Wilkes
asked

asked, Whether he had ever been council for him? Mr. Wallace said, in answer to this, That it did not occur to him then that ever he had; though he recollected some instances of printers, which he mentioned, in which he thought Mr. Wilkes might have a concern. He added, that after he went home, he looked over his papers about five or six years back; when he found that he had been council for him in some causes; and in an indictment of which he believed Mr. Wilkes to be the prosecutor.

Mr. Wilkes then asked Mr. Wallace, whether one of the causes was not against Mr. Wood, the Under-Secretary of State?

Mr. Wallace said that it was, and then he was ordered to withdraw.

Mr. Cole was then heard for Mr. Webb, who rested the defendant's cause on the evidence which Mr. Wilkes had produced. *He called no witnesses.* Mr. Serjeant Leigh was
X 2 heard

heard by way of reply, and then Mr. Wilkes and the council withdrew.

Then the question being proposed, —That it having been determined by the court of King's-Bench, and the two orders made by Lord Mansfield, Chief justice of the said court, for the amendment of the information exhibited in the same against Mr. Wilkes, *were according to law and justice, and the practice of the said court; the complaint of Mr. Wilkes, in respect thereof, is an audacious aspersion upon the said Chief Justice, calculated to convey a gross misrepresentation of the fact, and to prejudice the minds of the people against the administration of public justice.*

After this, the house being moved, that so much of Mr. Wilkes's petition might be read, as related to the complaint of the records being *materially altered*, by the order of Lord Mansfield; it was read accordingly; and the resolution of the House was,—

That

That the two orders made by Lord Mansfield for the amendment of the information exhibited in the said court against Mr. Wilkes, were according to law and justice, and the practice of the said court, and confirmed by the subsequent determination thereof; That the complaint of Mr. Wilkes was frivolous, the aspersions upon Lord Mansfield groundless; and attended only to prejudice the minds of the people.

It was also resolved by the House, that Mr. Wilkes had not made good his charge against Philip Carteret Webb, bEsp.

The house did not break up till past one o'clock in the morning; when Mr. Wilkes was remanded into the custody of the Marshal of the King's-bench prison, and the further consideration of the proceedings on the several informations in the court of King's-bench against Mr. Wilkes, were adjourned till half an hour past eleven o'clock the same day.

Feb. 2. The House accordingly met, when they took into their further consideration,

sideration, the report of the conference with the Lords upon Friday the 16th of December, 1768, respecting the matter of the charge against Mr. Wilkes, a member of that House, for being the author and publisher of the introduction of the copy of a letter addressed to Daniel Ponton, Esq; chairman of the quarter sessions at Lambeth, and dated St. James's, April 17, 1768, which was contained in the St. James's Chronicle, printed by Henry Baldwin.

In consequence of this, Mr. Wilkes, Mr. Baldwin, and John Swan were ordered to attend the House, and Mr. Wilkes being first called in, he addressed himself to the Speaker, and said

Mr. S P E A K E R,

I Acknowledge that I transmitted to the press the letter of the Secretary of State, and that I wrote and published the *Prefatory Remarks* to it, and Sir, whenever a Secretary of State shall dare to write so bloody a scroll,

I will through life dare to write such prefatory remarks, as well as to make my appeal to the nation on the occasion. I ask pardon, Sir, that I made use of too mild and gentle expressions, when I mentioned so wicked, so inhuman, so cowardly a massacre, as that in St. George's Fields on the 10th of May. I pledge myself to the House, that whenever a day shall be appointed to make this important enquiry, I will bring evidence here to prove the truth of every word I have asserted, I hope the House, Sir, will send for Mr. Ponton, and examine him, whether he did or did not receive that letter from the Secretary of State. If he answers in the affirmative, I am sure from the virtue of this House that they will immediately order an impeachment against the Secretary to be carried up to the Bar of the House of Peers.

Mr Wilkes then begged the leave of the House to be in the gallery; but being

ing refused, he was directed to withdraw.

After this Mr. Wilkes was again called in, and Mr. Wood, a member of the House, declared,---That he had compared the printed letter with the draft of the letter in the Secretary of state's office; that it was the same which Lord Weymouth wrote to Mr. Ponton; that it was very faithfully and accurately copied; and that Mr. Ponton acknowledged the receipt of the letter the day after.

Mr Onslow then informed the House, that Mr. Ponton had acknowledged the receipt of it to him.

After some time the Speaker acquainted Mr. Wilkes, that the said charge was founded upon the evidence of Henry Baldwin and John Swan, who had been examined at the Bar the 19th of December last; and that they were now attending at the door and ready to be again examined in his presence.

Whereupon

Whereupon Mr. Wilkes acknowledged a second time to the House, *That he transmitted to the press the letter mentioned in the said charge, and that he wrote the introduction of the copy of the said letter; and then offered to bring evidence to the Bar, to prove the truth of the said charge of the said MASSACRE.* Mr. Wilkes then withdrew.

Then the introduction and letter being read to the House, it was resolved; that the *former* was an *insolent, scandalous, and seditious LIBEL*, tending to inflame and stir up his Majesty's subjects to SEDITION, and to a total subversion of all good order and legal government.

Feb. 3. Resolved, that John Wilkes, Esq; a member of this House, who hath confessed himself to be the author and publisher of what this House hath resolved to be an *insolent, scandalous, and seditious LIBEL*; and who has been convicted in the court of King's-bench,

of having printed and published a *scandalous* libel, and three *obscene* and *impious* libels; and by the judgment of the said court, has been sentenced to undergo twenty-two months imprisonment, and is now in execution under the said judgement, *Be expelled this House.* And then Mr. Speaker was ordered to issue his warrant for the electing a Knight of the Shire

For the COUNTY of MIDDLESEX.

In consequence of Mr. Wilkes's expulsion, he, the next day, addressed himself

To the Gentlemen, Clergy, and Freeholders of the County of Middlesex.

GENTLEMEN,

THE proceedings of yesterday in the House of Commons fill me with the deepest concern, and I can truly say, much more on your account than my own. I cannot be deprived

of the glory of having been chosen a representative in parliament for the first county in England; but I feel with an anguish of heart, that the present ministry have found means to suspend for some time the plan of usefulness to my constituents, and service to this kingdom, which I had meditated. What adds however the most to my grief is, the melancholy reflection that by my expulsion the ministry have thus openly shewn, that they entertain no scruple of violating the sacred rights of the people, even in the most important case, that of having a deputy nominated by themselves to the great council of the nation. They have in the instance of yesterday robbed a very respectable part of this kingdom of their noblest inheritance, of their share in the legislative power. No set of men in this nation have hitherto ventured so grossly to abuse the trust reposed in them, nor to give so fatal a stab to the

vitals of our country. The threatening aspect of all our public affairs does not present any thing equally alarming, except in the late instance of ruffians hired to be your assassins and the murderers of the constitution at our last county election, whom public justice and an honest English jury have hitherto in vain sentenced to death. I think with horror on what we may in future dread for the liberties of all the Commons of Great Britain from so despotic an administration, if our gracious Sovereign should much longer continue to them the power of the state.

Permit me, Gentlemen, to renew to you the assurances of inviolable attachment to your service and the cause of liberty, to which my life is dedicated. My courage is not appalled, nor my spirit in the least abated. I will carry with me to the grave an unshaken fidelity and ardent affection to you and to this country, an invincible hatred and
 opposition

opposition to its enemies. I hope still to give you further proofs of my sentiments by my parliamentary conduct. I flatter myself that the relation between us, which subsisted yesterday, although now dissolved by the violence of arbitrary ministers, will in a short time again take place. Every mark of your regard I shall value in a high degree, and I trust that my conduct will convince you, that I am not quite unworthy of the choice, which I have now the honour of humbly soliciting:

I am strongly influenced on this occasion by a particular reason, which strikes me very forcibly, and I believe will have the greatest weight with you. It is, that by a second choice of me for this county, you, Gentlemen, the independent freeholders, will assert the clear right you derive from the constitution of naming your own representatives. If ministers can once usurp the power of declaring who shall not
be

be your representative, the next step is very easy, and will follow speedily. It is that of telling you, whom you shall send to parliament, and then the boasted constitution of England will be entirely torn up by the roots. The parliaments of Great-Britain will become not only as insignificant as those of France, a mere state-engine of government, but a grievous burthen and infinite mischief to the nation. The present great crisis affords the opportunity of asserting your most valuable privileges, and of shewing yourselves superior to the insolent mandates of a minister, who has the presumption to treat Englishmen as slaves.

The rights of this free kingdom, gentlemen, have been frequently violated in my person. You have now in me the opportunity of vindicating them, and I hope without the reproach of vanity I may add, that my firmness in the support of our common liberty, under

under circumstances equally perilous and intricate, has secured me your confidence, and will be considered by you as a proof that you may again safely honour me with this fresh testimony of your esteem, the chusing me a second time the representative of my native county in parliament.

I am, Gentlemen,

With true regard and gratitude.

Your most obedient,

and humble servant,

JOHN WILKES.

King's-Bench Prison,

Saturday, Feb 4th.

1769.

Feb. 9, Mr. Wilkes again put up as candidate for the aforesaid county, and inserted in the papers the following advertisement

To

The subscribers of this Work are desired to take notice, that the publication, which on account of the late holydays and other inconveniences has been unavoidably postponed and irregular; will now positively be delivered without intermission every Monday, Wednesday, and Fridays, till finished; and that in the last number will be given, gratis, a curious Print of JOHN WILKES, Esq; finely engraved.

N. B. There is likewise a few volumes of No. 1. left, which may be had to complete Setts, price 1s. 6d, stitched in blue paper, of the Publisher, or by giving orders to their respective Hawkers.

To the Gentlemen, Clergy, and Freeholders of the county of Middlesex.

GENTLEMEN,

I Regret exceedingly that my situation deprives me of the honour of paying my personal respects to you on the present occasion, and once more soliciting myself your votes to represent my native county in parliament. I am just now informed that the election is fixed for Thursday next the 16th instant. Your early appearance in my favour at Brentford that morning, I always acknowledge as a double obligation to the many you have already conferred on,

GENTLEMEN,

Your faithful and obedient

Humble servant,

JOHN WILKES.

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The

The election came on the 16th of February, when Mr. Wilkes was nominated by James Townshend, Esq; member for West-Looe, in Cornwall; and seconded by John Sawbridge, Esq; member for Hithe, in Kent. The freeholders were unanimous in their approbation, and accordingly Mr Wilkes was returned without opposition. Both Mr. Townshend and Mr. Sawbridge made very elegant speeches on this occasion, and the former was chaired for Mr. Wilkes. The concourse of freeholders was prodigious; and the acclamations with which they received the declaration of the Sheriff who attended, was such as testified the greatest joy and satisfaction.

To the Gentlemen, Clergy, and Freeholders of the County of Middlesex.

GENTLEMEN,

THE zeal and unanimity you have shewn this day for the maintenance of our most valuable privileges against the late attack of a despotic administration, will forever reflect the truest honour on yourselves and on this county. With every sentiment of gratitude and respect, I beg leave to acknowledge the repeated distinction you have been pleased to make of me on this occasion. I am the more happy because I consider my re-election by the free and unanimous voice of my countrymen as the most direct and full testimony you could give to the world, that you approve my conduct, relative to the publication of the Preface, and the Secretary of State's Letter, which was followed by the horrid murders committed in my sight near the walls
of

of this prison. I obeyed your instructions, Gentlemen, in that only instance in my power, although I was in custody at the Bar of the House of Commons. I thought it my duty, as your representative, earnestly to press an enquiry into the transactions of the military on that day of cruelty and carnage, a day of indelible disgrace to the annals of England, and even to humanity. I pledged myself to bring evidence to the Bar of the Commons in support of the charge I had stated, and whenever parliament shall make inquisition for the innocent blood spilt here on the 10th of May, I am sure my worthy colleague, Mr. Glynn, will do justice to this injured country in the House, and I will not be wanting to the cause in this prison, or in the most loathsome dungeon, if indeed I am not as closely and rigorously confined as I was in the Tower. The horror I expressed of the massacre in that Preface was made the
first

first and chief pretence of my expulsion, as I now find from the votes. As to every thing else alledged against me, the courts of law have full satisfaction, and the whole happened some years before your former choice, before I had devoted myself to your service.

In consequence of this fresh mark of your regard and confidence, I expect, Gentlemen, fresh efforts to crush and destroy me from the present administration, whom I believe to be the determined enemies of the freedom of the subject. But whatever I may suffer under the merciless fangs of ministerial vengeance, I will persevere in the cause of liberty to the last moment of my life. Under every threatening and danger I will join with you in hearty endeavours to repair the breaches which have been made, and to restore its ancient vigour and first principles this excellent constitution, which has in our times been sapped and undermined by secret corruption

ruption, and invaded by open violence; I wish I could say only in the case of general warrants, the seizure of papers, the massacre by the military in these Fields, and assassinations at Brentford. However from the goodness of our cause, and the high spirit of this free nation; we cannot in the end fail of success, and our steadiness will draw to us the firm and generous support of the numerous, sensible, and magnanimous friends whom liberty has ready at her call throughout this island. The glorious event must be the preservation of the liberties of the people to the present and future ages.

I am, Gentlemen,

Your grateful,

And faithful

Humble servant,

JOHN WILKES;

King's-Bench Prison,

Thursday, Feb. 16, 1769.

To

Feb. 17. the deputy clerk of the crown was ordered to attend the house of Commons, with the return of the writ for electing a Knight of the Shire for the county of Middlesex, when he attended according to order, and the said writ and return, in favour of Mr. Wilkes were read.

A motion was then made, and the question being proposed, that Mr. Wilkes having been chosen before, and since expelled that house, was and is capable of being elected a member thereof. The resolution of the house on the 3d of February, relative to his expulsion at that time, was then ordered to be read, and it being accordingly read, the house ordered it to be a void election.

One of the members, who was then in the House, declared.—That he was present at the Middlesex election, that there was no other candidate besides Mr. Wilkes, and that there was no
poll

poll demanded for any other person, nor any kind of opposition to the election of the said Mr. Wilkss. But notwithstanding this declaration, it was ordered that a new writ should be made out for another election: when in consequence thereof, Mr. Wilkes a third time entreated the votes of

*The Gentlemen, Clergy, and Freeholders
of the county of Middlesex.*

GENTLEMEN,

THE unanimity you have shewn in the second choice of me as your representative has not prevented my second expulsion without any new pretence. Another writ is ordered, and I must again entreat you to confirm your former choice by honouring me a third time with your votes at the ensuing election, which will be at Brentford on the 28th instant. I will never give up the cause, nor quit the service of my constituents, and I make no doubt that your perseverance in the support of your own rights by the repeated exertion of the powers you derive from the constitution, will in the end be crowned with the desired success. In case of any expulsion, I will regularly repeat to you the offer of my

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humble services, that you may have again and again an opportunity of vindicating your most valuable privileges, the rights of all the electors of this kingdom, which I will never abandon nor betray.

I hope none of my friends will be absent from Brentford on the 28th, and I shall be particularly obliged to them for their early appearance.

I am,

GENTLEMEN,

Your faithful

Humble servant,

JOHN WILKES.

King's-Bench Prison,
Saturday, Feb. 18, 1769.

And on the 20th of the same month
the following advertisement appeared:
To

*To the Gentlemen, Clergy, and Free-
holders of the county of Middlesex.*

GENTLEMEN,

AFTER the most mature delibe-
ration, and at the desire of very
many friends, I am again a candidate
for the honour of representing you in
parliament, and I mean humbly to so-
licit that trust as frequently as any va-
cancy shall be declared in violation of
your inherent and unalienable rights,
which I will ever support, I consider
the privilege of electing your own re-
presentative, the person to whose charge
is committed the disposal of your pro-
perties and lives, as the first principle
of our constitution, as the essence of
that power, which the people have re-
served to themselves. If it is taken
from you, that instance you will cease
to be free, for you will be governed by
laws which you have not given your
assent, or perhaps be subject to the ca-
price

price and arbitrary will of a minister or a minion. I therefore am determined, Gentlemen, on every occasion to assert your rights, and I will not shrink from any danger, when I have so great an object in view.

A resolution of the House of Commons does not make the law of this kingdom, nor can it deprive the electors or elected of any legal right. It cannot create or destroy the capacity of either derived from the law of the land. It is only the opinion of one third part of the legislature. The returning officer has an act of parliament for his guide, an act of all the three estates of this realm. The form of his oath is prescribed in that act. He is sworn "to return such person, or persons, as shall to the best of his judgment appear to him to have the majority of legal votes." If he does not, he is declared guilty of wilful perjury. Should I be so distinguished by your
favour,

favour, as to be a third time elected your representative, the only alternative left to the Sheriff is to return me, or to perjure himself. The justice and impartiality of the Sheriff cannot be questioned. The House of Commons are the sole judges who are duly elected, but the people only have the power of determining, who are the fit and proper persons to be entrusted, under those restrictions and qualifications alone expressly declared by act of parliament.

Devoted as I am a personal sacrifice to the revenge and implacability of a most desperate and despicable set of men in administration, I go on however very deliberately the way of truth and honour in the pursuit of your interests, and the cause of freedom. I will be consistent and uniform to the end. At the hazard of all I hold dear, in defence of all that is dear to you, I will proceed to expose, and, if possible, bring

bring to justice, those offenders, who, betraying the sacred trust for which they are so responsible to the public, have been long and assiduously labouring to effect the ruin of this nation. At the same time the utmost of my little influence and abilities shall be exerted to prevail on the real friends of our country to heal our unhappy divisions, to correct the errors, which, contrary to its first principles, have crept into our constitution, and to restore its genuine, original purity. By such means alone the dignity of the crown, the good order of government, and the liberties of the people can be preserved. We shall then only be truly happy as men, as freemen, as Englishmen.

I am, Gentlemen,

Your most obedient,

and humble servant,

JOHN WILKES.

ADVEKTISEMENT

ADVERTISEMENT,

To the Gentlemen, Clergy, and Freeholders of the County of Middlesex.

GENTLEMEN,

THE unanimity you have shewn in the second choice of me as your representative has not prevented my second expulsion without any new pretence. Another writ is ordered, and I must again entreat you to confirm your former choice by honouring me a third time with your votes at the ensuing election, which will be at Brentford on Thursday the 16th of March. I will never give up the cause, nor quit the service of my constituents, and I make no doubt that your perseverance in the support of your own rights by a re-
peated

peated exertion of the powers you derive from the constitution, will in the end be crowned with the desired success. In case of any future expulsions, I will regularly repeat to you the offer of my humble services, that you may have again and again an opportunity of vindicating your most valuable privileges, the rights of all the electors of this kingdom, which I will never abandon nor betray.

I hope none of my friends will be absent from Brentford on the 16th of March, and I shall be particularly obliged to them for their early appearance.

I am, Gentlemen,

Your faithful

Humble servant,

JOHN WILKES.

King's-Bench Prison,

Wednesday, Feb. 22. 1769.

February 22, A meeting was held of the freeholders of Middlesex, at the Assembly-Room, Mile-end, in behalf of John Wilkes, Esq;—The following is a sketch of their proceedings. There were present near four hundred gentlemen, freeholders of the county of Middlesex. At twelve o'clock Mr. Townshend was desired by the general voice to take the chair, who expressed his disapprobation of the measures taken to compel the freeholders of Middlesex to give up their constitutional right of electing any gentleman they think proper to send as their representative to the House of Commons; and having produced many instances of former expulsions, assured the gentlemen that none of those could in any wise affect the case of Mr. Wilkes; for none of them were attempted to be inflicted but where the misconduct or crime of the sitting member proved him to be unworthy to be trusted with the liberty

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and property of his country. In which argument he was seconded by Mr. Sawbridge, and the Rev. Mr. Horne, who read a case in point, which happened in the present reign, of an expulsion, re-expulsion, and even an act of assembly in the island of Barbadoes, and the whole case dissannulled by our gracious K— and C—l, as an invasion upon the rights of the people to chuse their representatives. Several more gentlemen delivered their sentiments to the same effect. Sir Francis Delaval stood up to vindicate his own character and conduct in the present proceedings, pledging his honour that he never did, nor ever will oppose Mr. Wilkes, either in the county of Middlesex or elsewhere. Each of the Speakers concluded with an exhortation to unanimity in their perseverance to maintain their right of election, to be dutiful to the King, oppose bad men and bad measures, to preserve the peace.

peace on all occasions, and to vote for Mr. Wilkes, and Mr. Wilkes only. It was then put up to the vote, whether they would unanimously, and at their own expence, support the election of Mr. Wilkes on the 16th of March next, and to use the utmost of their endeavours to bring as many friends as possible to Brentford on that occasion? When it was unanimously agreed so to do, and it was added, *viva voce*, that they would rather lose their lives than their liberties.

The following is an exact copy of the writ issued out in Chancery for the election of a Knight of the Shire for the county of Middlesex, on Thursday, the 16th day of March:

(C O P Y)

(C O P Y.)

GEORGE the third by the Grace of God, of Great-Britain, France and Ireland, King, Defender of the Faith, &c. To our Sheriff of the county of Middlesex, greeting.——
 Whereas John Wilkes, Esq; was lately chosen one of the Knights for your county. for our present parliament, summoned to be holden at our city of Westminster the tenth day of May, in the eighth year of our reign, in which day our said parliament was begun and held, and from thence by several adjournments and prorogations unto Tuesday the eighth day of November last past was adjourned and prorogued, and there now holden; and whereas the said John Wilkes has by the Lower house of our said parliament been adjudged incapable of being elected a
 member

member to serve in our said parliament, and the election of the said John Wilkes, for the said county, has been declared void, as by a letter of our right trusty and well-beloved Counsellor, Sir John Cust, Bart. Speaker of our said Lower House of parliament, more fully and plainly appears, by means whereof our subjects of the said county are deprived of one Knight to treat for the benefit of the same county in our said parliament; nevertheless, we being unwilling that the Commonality of our kingdom in our said parliament assembled to treat of business concerning us, the state and defence of our kingdom and the church, from the aforesaid cause should be diminished or lessened, whereby those affairs may not have a due end; We command you, that in the place of the said John Wilkes, in your full county to be holden next after the receipt of this our writ, one other fit and discreet Knight of the aforesaid

aforesaid county, girt with a sword pro-
 (clamation being first made of the pre-
 mises and of the day and place) freely
 and indifferently by those who shall be
 present at the proclamation, according
 to the form of the statute in that case
 made and provided, you cause to be
 elected, and the name of such Knight
 to be inserted in certain indentures to
 be thereupon made between you and
 them who shall be present at such elec-
 tion (whether at the said election he be
 present or absent) and to cause him to
 come to the said parliament, so that
 the said Knight so to be chosen may
 have full power and sufficient authority
 for himself and the Commonality of
 the aforesaid county, to do and consent
 to those things which in our parliament
 aforesaid, by the Common Council of
 our realm (by the blessing of God)
 shall happen to be ordained upon the
 aforesaid affairs; willing nevertheless
 that neither you nor any other Sheriff
 of

of this our kingdom in any wise be elected; and the election in your said county so made, distinctly and openly under your seal, and the seals of them who shall be present at such election, certify to us in our Chancery, forthwith remitting to us one part of the aforesaid indentures annexed to these presents, together with this writ.

Witness ourself at Westminster
the 17th day of February, in
the ninth year of our reign.

YORKE and YORKE.

The Return to the above Writ.

C O P Y.

THIS indenture made in full county of Middlesex, he'd at Brenford in the said county the sixteenth day of March, in the year of our Lord
One

One Thousand Seven Hundred and Sixty Nine, and in the ninth year of our Sovereign Lord George the Third, by the Grace of God, of Great-Britain, France, and Ireland, King, Defender of the faith, and so forth; between Thomas Hallifax, Esq; and John Shakespear, Esq; Sheriffs of the county aforesaid, of the one part; and the several others whose hands and seals are hereunto subscribed and set; and many others of the said county, electors of a Knight to the parliament in the writ hereunto annexed, mentioned in the place of John Wilkes, Esq; of the other part; who, as the greater part of the said county, then and there being sworn and examined, according to the force, form, and effect of the several statutes in that case made and provided, have chosen John Wilkes, Esq; a fit and discreet Knight, girt with a sword, and dwelling within the county aforesaid, giving and granting to the aforesaid

said Knight full and sufficient power for himself, and for the Commonality of the county aforesaid, and to do and consent to those things which in the said parliament, by the Common Council of the realm of our said Lord the King, shall happen to be ordained, upon the affairs in the said writ mentioned. In testimony whereof the said parties to these presents have hereunto interchangeably set their hands and seals the day, year, and place above mentioned.

THO. HALLIFAX.

JOHN SHAKESPEAR.

John Sawbridge,
James Townshend,
Walpole Eyre,
John Horne,
William Drinkwater,
Robert Morris,
John Howard,
Robert Lewes,
Timothy Fox,

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Cc

Frank

Frank Capell,
 J. Horwood,
 Nich. Joseph Fell,
 Robert Macky,
 Thomes Browne,
 Watkin Lewes.

Thursday, March 16, came on at Brentford the second re-election of a Knight of the Shire for the county of Middlesex. Charles Dingley, Esq; was the only gentleman who offered to oppose the popular candidate. He accordingly attended on the Hustings before the arrival of the Sheriffs, with the view, as was supposed, of standing the poll; but probably conceiving some disgust at his reception, he retired soon after. When the Sheriffs came, they demanded if there were any other candidates, and mentioned the receipt of a letter from Charles Dingley, Esq; but no person putting him in nomination, Mr. Wilkes was unanimously returned.

In the evening of the 15th of April, the House of Commons, after very considerable debates, determined that Mr. Wilkes was still incapable of being elected as one of the members of that house; and that Colonel Luttrell should be sitting member for the county of Middlesex. In consequence of which determination the next day he took the necessary oaths and his seat in the House of Commons, as Knight of the Shire for that county.

The freeholders of Middlesex, finding themselves thus deprived of their election, immediately set about the necessary means for the recovery of their lost privileges. In order to accomplish this end, in the evening papers of the same day of Mr. Wilkes's expulsion, the following advertisement was inserted, requesting a meeting for that purpose:

* The transactions and numerous papers which appeared for and against the famous Luttrell election, and Mr. Wilkes's third expulsion will form an addenda, and be given in the latter end of the work.

MIDDLESEX.

THE freholders of this county, are desired to meet on Monday next, at the Mile-End assembly room, at eleven in the morning, to consider of the necessary constitutional measures to be pursued to maintain their Right of representation.

Accordingly several meetings were held at the assembly room, Mile-End; the principal of which was on the twenty-eighth of April, when it was resolved, That John Glynn, Esq; Walpole Eyre, Esq; George Bellas, Esq; James Adair, Esq; John Sawbridge, Esq; James Townshend, Esq; the Rev. Dr. Wilson, George Prescott, Esq; Arnold Wallinger, Esq; and Francis Ascough, Esq; be desired to wait upon his Majesty with a petition, which was read to, and

and approved by all the freeholders. Mr. Townshend desired that it might be understood, that no other freeholder should attend the delivery of this petition; because it might give a pretence to administration, to misrepresent to his Majesty, an act of their innocent curiosity as tumult, insurrection, and open rebellion.

This petition was, on the 25th of May, presented to his Majesty at St. James, by the following gentlemen: Mr. Serjeant Glynn, Mr. Sawbridge, Mr. Townshends, Mr. Bellas, Mr. Ellis, Mr. Ascough, and the Rev. Dr. Wilson, but the reception it met with there, was as *cool* as the sentiments expressed in it were altogether *warm*: which as they are of a very singular nature, and of the highest importance to the liberty of the subject, the insertion of them here cannot fail of being acceptable to the reader.

To

To the KING's Most Excellent
Majesty,
The HUMBLE PETITION of the
FREEHOLDERS of the County of
MIDDLESEX.

Most Gracious Sovereign!

WE, your Majesty's dutiful and
loyal subjects, the Freehol-
ders of the county of Middlesex,
beg leave, with all affectionate submis-
sion and humility, to throw ourselves
at your royal feet, and humbly to im-
plore your paternal attention to those
grievances, of which this county and
the whole nation complain, and those
fearful apprehensions with which the
whole British empire is most justly
alarmed.

With great grief and sorrow, we
have

have long beheld the endeavours of certain evil-minded persons, who attempt to infuse into your royal mind notions and opinions of the most dangerous and pernicious tendency, and who promote and counsel such measures as cannot fail to destroy that harmony and confidence, which should ever subsist between a just and virtuous Prince and a free and loyal people.

For this disaffected purpose, they have introduced into every part of the administration of our happy, legal constitution, a certain unlimited and indefinite discretionary power; to prevent which is the sole aim of all our laws, and was the sole cause of all those disturbances and revolutions, which formerly distracted this unhappy country; for our ancestors, by their own fatal experience, well knew, that, in a state where discretion begins, law, liberty, and safety end. Under the pretence of this discretion, or, as it was formerly
and

and has been lately called Law of State we have seen

English subjects, and even a member of the British legislature, arrested by virtue of a General Warrant, issued by a Secretary of State, contrary to the law of the land—

Their houses rifled and plundered, their papers seized, and used as evidence upon trial—

Their bodies committed to close imprisonment—

The Habeas Corpus eluded—

Trial by jury discountenanced, and the first law-officer of the crown publicly insinuating that the juries are not to be trusted—

Printers punished by the ministry in the supreme court without a trial by their equals; without any trial at all—

The remedy of the law for false imprisonment barred and defeated—

The plaintiff and his attorney, for their appeal to the law of the land,

punished by expences and imprisonment, and made by forced engagements to desist from their legal claim—

A writing determined to be a libel by a court where it was not recognizable in the first instance; contrary to law, because all appeal is thereby cut off, and inferior courts and juries influenced by such predetermination—

A person condemned in the said court as the author of the supposed libel unheard, without defence or trial—

Unjust treatment of petitions, by selecting only such parts as might be wrested to criminate the petitioner, and refusing to hear those which might procure him redress—

The thanks of one branch of the legislature proposed by a minister to be given to an acknowledged offender for his offence, which the declared intention of screening him from law—

Attachments wrested from their original intent of removing obstructions to

he proceedings of law, to punish, by sentence of arbitrary fine and imprisonment, without trial or appeal, supposed offences committed out of Court.

Perpetual imprisonment of an Englishman without trial, conviction, or sentence, by the same mode of attachment, wherein the same person is at once party, accuser, judge, and jury—

Instead of the antient and legal civil police, the military introduced at every opportunity, unnecessarily and unlawfully patrolling the streets, to the alarm and terror of the inhabitants—

The lives of many of your Majesty's innocent subjects destroyed by military execution—

Such military execution solemnly adjudged to be legal---

Murder abetted, encouraged, and rewarded---

The civil magistracy rendered contemptible by the appointment of improper and incapable persons---

The

The civil magistrates tampered with by administration, and neglecting and refusing to discharge their duty---

Mobs and riots hired and raised by the ministry, in order to justify and recommend their own illegal proceedings, and to prejudice your Majesty's mind by false insinuations against the loyalty of your Majesty's subjects---

The freedom of election violated by corrupt and undue influence, by unpunished violence and murder---

The just verdicts of juries, and the opinion of the judges, over-ruled by false representations to your Majesty; and the determinations of the law set aside by new, unprecedented, and dangerous means; thereby leaving the guilty without restraint, and the injured without redress, and the lives of your Majesty's subjects at the mercy of every ruffian protected by administration—

Obsolete

Obsolete and vexatious claims of the crown set on foot for partial and election purposes—

Partial attacks on the liberty of the press: the most daring and pernicious libels against the constitution, and against the liberty of the subject, being allowed to pass unnoticed, whilst the slightest libel against a minister is punished with the utmost rigour—

Wicked attempts to encrease and establish a standing army, by endeavouring to vest in the crown an unlimited power over the militia; which, should they succeed, must, sooner or later, subvert the constitution, by augmenting the power of administration in proportion to their delinquency—

Repeated endeavours to diminish the importance of members of parliament individually, in order to render them more dependent on administration collectively. Even threats have been employed by ministers to suppress the freedom
dom

dom of debate; and the wrath of parliament denounced against measures authorised by the law of the land---

Resolutions of one branch of the legislature, set up as the law of the land, being a direct usurpation of the rights of the two other branches, and therefore a manifest infringement of the constitution---

Public money shamefully squandered and unaccounted for, and all inquiry into the cause of arrears in the civil list prevented by the ministry—

Inquiry into a pay-masters public accounts stopped in the exchequer, though the sums unaccounted for by that pay-master amount to above forty millions sterling—

Public loans perverted to private ministerial purposes—

Prostitution of public honours and rewards to men who can neither plead public virtue nor service—

Irreligion and immorality, so em

nently discountenanced by your Majesty's royal example, encouraged by administration both by example and precept—

The same discretion has been extended by the same evil counsellors to your Majesty's dominions in America, and has produced to our suffering fellow subjects, in that part of the world, grievances and apprehensions similar to those of which we complain at home--

Most Gracious Sovereign !

Such are the grievances and apprehensions which have long discontented and disturbed the greatest and best part of your Majesty's loyal subjects. Unwilling, however, to interrupt your royal repose, though ready to lay down our lives and fortunes for your Majesty's service, and for the constitution as by law established, we have waited patiently expecting a constitutional remedy as by law established, we have waited

waited patiently expecting a constitutional remedy by the means of our own representatives; but our legal and free choice have been repeatedly rejected, and the right of election now finally taken from us by the unprecedented seating of a candidate who was never chosen by the county, and who, even to become a candidate, was obliged fraudently to vacate his seat in parliament, under the pretense of an insignificant place, invited thereto by the prior declaration of a minister, that whoever opposed our choice, though with but four votes, would be declared member for the county. We see ourselves, by this last act, deprived even of the franchises of Englishmen, reduced to the most abject state of slavery, and left without hopes or means of redress but from your Majesty or God.

Deign then, most gracious Sovereign, to listen to the prayer of the most faithful

ful of your Majesty's subjects; and to banish from your royal favour, trust and confidence, for ever, those evil and pernicious counsellors, who have endeavoured to alienate the affection of your Majesty's most sincere and dutiful subjects, and whose suggestions tend to deprive your people of their dearest and most essential rights, and who have traiterously dared to depart from the spirit and letter of those laws which have secured the crown of these realms to the house of Brunswick, in which we make our most earnest prayers to G d, that it may continue untarnished to the latest posterity.

(Copy) Signed by 1565 Freeholders.

Monday, April 17, the ten months, imprisonment of Mr. Wilkes, for publishing the North Briton, No. 45. expired. The following is a copy of the receipt given on the payment of the fine laid upon him for that offence.

RECEIVED

RECEIVED, the 17th day of April, 1769, of John Wilkes, Esq; by the hands of John Reynolds his Attorney, the sum of five hundred pounds, of lawful money of Great-Britain, being the fine ordered by the court of King's-Bench to be paid by the said John Wilkes to our sovering Lord the King, for printing and publishing a certain libel intituled the Nort h Briton, No. 45. I say, received the same for the use of our said Lord the King,

Witness. JAMES BURROW.
Thomas Trundle.

On Friday, April 21, about seven o'clock in the evening, Mr. Wilkes was brought by a Habeas Corpus from the King's-Bench prison to Lord Mansfield's chambers in Serjeant's-Inn, in Chancery-Lane, in surrender of his bail to the several civil actions

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which had been brought against him; as during the time he was a candidate for member for the city of London, and his first election for Middlesex, he was several times arrested for debt; this made it necessary for him to give bail, in order to retain his liberty, that he might canvass, and be present at the elections. After he was committed, on account of the criminal prosecutions, the persons who brought these suits against him, proceeded in their actions, and, at length, obtained final judgments. In consequence of this, it became necessary either to discharge the debts, or surrender his body, to save the bail from being immediately subject to attachments. This could not be done but by bringing Mr. Wilkes before a Judge, by Habeas Corpus, giving notice to the creditors, that his body would then be produced there, that they might charge him in execution, if they thought proper.

A

A very great number of people waited in Chancery-Lane for his coming out of Serjeant's-Inn, and the coach he went into being ordered to drive through the Strand, the populace followed him with loud huzzas, and at St. Clement's church they took the horses from the coach in order to draw it themselves; upon which Mr. Wilkes slipped out of the coach, went into the Crown and Anchor Tavern, and made his escape in another coach from the door in Arundel-Street, to avoid any mischief that might arise from the mob.

It is remarkable that when Mr. Wilkes took refuge at the above tavern, the moment he opened the glass door in the passage to go in, he met Mr. Martin. the gentleman whom he fought a duel with some time ago: they behaved with great politeness to each other, and parted very good friends.

On

On Tuesday, April 25, a court of Aldermen was held at Guild Hall, when the opinion of the several council appointed to consider of the eligibility of Mr, Wilkes's being admitted Alderman of Farringdon Without, was laid before the court. The following is a list of the Aldermen who voted for and against his being sent for to take upon him that office, in consequence of the opinion of the majority of the Council that he was eligible for it :

Aldermen for sending for Mr. Wilkes,
 William Beckford, Esq.
 Barlow Trecothick, Esq.
 Richard Peers, Esq.
 Sir William Stephenson, Kt.
 Brads Crosby, Esq.
 John Kirkman, Esq.

Aldermen

Aldermen against sending for him.

in Robert Ladbroke, Kt.

Sir Thomas Rawlinson, Kt.

Sir Robert Kite, Kt.

Sir Henry Bankes, Kt.

William Nash, Esq.

Brackley Kennett, Esq.

Robert Alfop, Esq.

Sir Richard Glyn, Bart.

Rt. Hon. Thomas Harley.

William Nash, Esq.

Samuel Plumb, Esq.

On Tuesday, June 6, upwards of sixty members of a society under the title of Supporters of the Bill of Rights, met at the London Tavern, Bishopsgate Street, when an account of Mr. Wilke's debts was delivered in, which amounted to seventeen thousand pounds; seven of which had been before promised by the society; and it was hoped, by the contributions which might

might arise from a circular letter, that they should be able to compromise the whole before the next meeting, a committee having been appointed for that and other business. The circular letter was, at the same time, read and approved off by the chairman, and was then agreed to be sent to the gentlemen of the minority, who were requested to promote it to the utmost of their power in the different counties where they resided, and was also to be sent to all the cities and borough towns in England, with Mr. Wilkes's case written by himself, and the letter to be signed by the society. At this meeting seven new members were admitted, who subscribed very handsomely.

Thursday June 8, The ancient and honourable family of Leeches presented John Wilkes, Esq; with an emblematical medal of their order curiously designed, viz. a silver crescent, on the
body

body of which the arms of the family are engraved; the edge is ornamented with a laurel, enamelled green; in the vacuity is a gold medal, finely chased, representing Mr Wilkes in a suppliant posture, offering himself a victim at the shrine of liberty; a female figure of providence standing on his right hand, drawing from the sacrifice with one hand, and presenting a wreath of laurel to him with the other. On the other side the altar, the goddess Liberty in tears at the position of Mr. Wilkes; at her feet the arms of England, denoting her to be the guardian of our isle; and at the foot of the altar Posterity, represented by a child sitting on Magna Charta, imploring the assistance of providence. On the reverse the following inscription:

To

To JOHN WILKES, Esq.

Knight of the Shire for the county of
MIDDLESEX,

And Alderman of the city of
LONDON.

Initiated, a member, and invested Chief
Counsellor of the Ancient family of
LEECHES.

The 9th of March, 1769;

As a token of their approbation of
his Patriotic conduct

In the glorious cause of LIBERTY,

This Badge of Office is presented

By the MOST NOBLE
GRAND LEECH,

The Council and Brethren,

Of the supreme and legislative court of
that fraternity.

June

21
ine 26, a court of Aldermen was
held for the choice of Sheriffs, when
a petition to the throne, for redress of
grievances, was proposed to the Lord
Mayor by the livery, which, as it relates
in some particulars to the proceedings
against Mr. Wilkes, and, joined to
that of the Freeholders of Middlesex,
includes most every grievance complain-
ed of in those brought from different
parts of the country, we insert it under
its proper date. From this consideration,
the reader, we hope, will excuse the
insertion of any more than these two,
as it would be diviating too much from
the principal subject of these volumes,
as an account of the proceedings against
Mr. Wilkes.

The petition of the livery of London
was presented to his Majesty at St. James's
on the fifth of July, by the Lord Mayor,
the Sheriffs, and three of the city mem-
bers,

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Bers, viz. William Beckford, Esq. Barlow Trecothick, Esq. and Sir Robert Ladbroke; and is as follows:

To the KING's Most Excellent Majesty,

The Humble Petition of the Livery of the City of London, in Common Hall assembled.

Most Gracious Sovereign!

WE your Majesty's most dutiful and loyal subjects, the Livery of the city of London, with all the humility which is due from free subject to their lawful Sovereign; but with all the anxiety which the sense of the present oppressions, and the just dread of future mischiefs, produce in our minds, beg leave to lay before your Majesty some

some of those intolerable grievances which your people have suffered from the evil conduct of those who have been entrusted with the administration of your Majesty's government; and from the secret unremitting influence of the worst of counsellors.

We should be wanting in our duty to your Majesty, as well as ourselves and our posterity, should we forbear to represent to the throne the desperate attempts which have been, and are too successfully made, to destroy that constitution, to the spirit of which we owe the relation which subsists between your Majesty and the subjects of these realms, and to subvert those sacred laws, which our ancestors have sealed with their blood.

Your ministers, from corrupt principles, and in violation of every duty, have, by various enumerated means, invaded our invaluable and unalienable right of trial by jury.

They

They have, with impunity, issued general warrants, and violently seized persons and private papers.

They have rendered the laws non-effective to our security, by evading the Habeas Corpus.

They have caused punishments, and even perpetual imprisonment, to be inflicted, without trial, conviction or sentence:

They have brought into disrepute the civil magistracy, by the appointment of persons who are, in many respects, unqualified for that important trust, and have thereby purposely furnished a pretence for calling in the aid of the military power.

They avow and endeavour to establish, a maxim, absolutely inconsistent with our constitution—that “an occasion for effectually employing a military force always presents itself, when the civil power is trifled with or insulted;” and by a fatal application,

tion of this maxim, they have wantonly and wickedly sacrificed the lives of many of your Majesty's subjects, and have prostituted your Majesty's sacred name and authority, to justify, applaud, and recommend their own illegal and bloody actions.

They have screened more than one murderer from punishment, and in its place have unnaturally substituted reward.

They have established numberless unconstitutional regulations and taxations in our colonies. They have caused a revenue to be raised in some of them by prerogative. They have appointed civil law judges to try revenue causes, and to be paid from out of the condemnation-money.

After having insulted and defeated the law on different occasions, and by different contrivances, both at home and abroad, they have at length completed their design, by violently wrest-
ing

ing from the people the last sacred right we had left, the right of election, by the unprecedented seating of a candidate, notoriously set up and chosen only by themselves. They have therefore taken from your subjects all hopes of parliamentary redress, and have left us no resource, under God, but in your Majesty.

All this they have been able to effect by corruption; by a scandalous misapplication and embezzlement of the public treasure, and a shameful prostitution of public honours and employments; procuring deficiencies of the civil list to be made good without examination; and, instead of punishing, conferring honours on a Pay-master, the public defaulter of unaccounted millions.

From an unfeigned sense of the duty we owe to your Majesty, and to our country, we have ventured thus humbly to lay before the throne those
grea

great and important truths, which it has been the business of your ministers to conceal. We most earnestly beseech your Majesty to grant us redress. It is for the purpose of redress alone, and for such occasions as the present, that those great and extensive powers are entrusted to the crown by the wisdom of that constitution, which your Majesty's illustrious family was chosen to defend, and which we trust in God it will for ever continue to support.

The two following pieces being the supposed productions of Mr. Wilkes, they are here admitted at length, and we hope the reader will not think them unworthy his most serious attention, especially as they are fired with the same zeal, expressed with the like earnestness, and wrote with that easy mode of style which has always distinguished the writings of that gentleman.

*To the Electors of Great-Britain
in general.*

AND TO THE
*Freeholders of the County of Middlesex in
particular.*

GENTLEMEN,

A Warm love of my country, and
just sense of my duty to you,
will not suffer me to remain silent af-
ter an event so fatal to the liberty of
this kingdom, as the late atrocious vi-
olation of your right of representation.
The ministry have at length effected a
total subversion of the constitution, an
absolute dissolution of that fair and
equal system of power, by which we
have hitherto been, and alone can be,
legally governed. Acts of parliament
are now framing, and will soon have
the

the force of laws, without the consent of the commons of this realm, in open defiance of the rights of the people, who owe no obedience to any law, to which they have not assented by their representatives.

The present house of commons is not a house of parliament. They have no lawful power or authority; for they are not chosen by the people. It is the very essence of a House of Commons to be the just and full representative of all the electors of this kingdom. The first county in England has only one representative in this parliament. The other gentleman is seated there by violence, by a vote of the House, against the consent of the majority of the freeholders, by which the liberty of England is shaken to its very foundation. Although confined in a prison, I will neither be inactive, nor wanting to the cause, for I cannot quietly submit to a national injustice and outrage. I will

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implore, exhort, and urge my countrymen to recover their birth-right, wrested from them by the sacrilegious hands of a despotic administration. They triumph in their late success over you. An unprincipled majority in the House of Commons have the presumption to make themselves electors of Great-Britain. Forgetting the nature of their trust, and regardless of their duty to their constituents and to the public, whose servants they are; they abuse the power derived from you to become, not your masters, but your tyrants and robbers. They vainly hope to break and subdue the national spirit and courage, but, as a ministry, they cannot fail of being crushed by the people whom they have injured, and of becoming the victims of so insolent and wicked an attempt. Instead of bewailing the miseries we suffer from their tyranny, I will endeavour to point out the remedy to all our evils, and I trust
that

that I shall be more than forgiven, when I entreat your attention to a mode of redress, which to me appears strictly constitutional,

Parliaments were instituted to frame wise and salutary laws, to provide for the exigencies of government, to be the guardians of the liberties of the commons, to oppose the encroachments of the crown, to keep arbitrary ministers in awe, and to redress the grievances of the people. We have seen in our times that a commerce of corruption has grown up between the ministers and the representatives, by which these great ends have been defeated, and the meetings of parliaments become alarming and dangerous. The members have been only the instruments to fleece the people, in order to share your spoils with the ministers of the crown. The connection between the present administration and the lower House is more than suspected. The proofs have appeared

appeared through the last winter to the conviction of the whole nation. The dictates of the minister have always been implicitly obeyed. Every violent measure has had the approbation of a majority in the House of Commons. I will state a few facts.

They refused to consent to any enquiry into the several murders in St. George's-Fields on the tenth of May, 1768, because the ministry dreaded the punishment of such flagrant crimes, committed by their order.

The debts of the civil list, amounting to above half a million sterling, were contracted in a very few years, to the prejudice of the subject, and the dignity of the crown, while we were daily insulted with the parade of a mean and ridiculous economy, and the immense sums of money, arising from the grant of that revenue, lavished in the support of a favourite and his ministerial agents.

That

That enormous arrears was, in an unparliamentary manner, before a single account could be laid before the House, after a refusal to consider of the causes of so vast a debt, voted by order of the minister to be paid by the public.

No time was allowed to inform the people of so important a measure.

The demand was made the last day of February, and that amazing sum voted on the second of March, because the ministry wanted the money immediately, and were afraid of your just resentment, if the accounts should declare to you in what manner those debts had been contracted.

The unhappy divisions between Great Britain and her colonies have been fomented by the arbitrary conduct of the same administration.

An obsolete act of Henry the eighth against papists, passed before we had any colonies, is now construed by them

to

to extend to our protestant brethren in America.

The most cruel grievances at home have met with no redress,

A petition of the much-injured Mr. Wilkes, complaining of many public wrongs and oppressions, particularly of the evasion of that great bulwark of our liberties, the Habeas Corpus act, and the alteration of the records, was refused to be heard, except in two points, after he had been put to a very considerable expence for the attendance of witnesses to prove the whole, by the express order of the House of Commons.

The account of the public money issued against him was not suffered to be produced; and even the alteration of the records has been justified by a vote of the majority.

The petition of William Bingley, the bookseller, complaining of the illegal proceedings of the court of King's-Bench

Bench has been totally rejected, himself unheard, and left, in direct contradiction to the principles of the constitution, and the mild spirit of our free government, to linger out a miserable life in prison for not breaking the law, and for insisting on his right of trial by jury; while murderers, tried, convicted, and condemned, murderers, have been pardoned, and, like other tools of the Ministry, pensioned out of the public money.

To complete their plan of iniquity, they have now destroyed the freedom of Election.

By these measures the present House of Commons have thus early lost, not only the confidence, but the universal favour and good opinion of the numbers they represent.

Instead of approving themselves the guardians of our liberties, they have been the perfidious betrayers of our rights.

A selfish and corrupt majority have sacrificed the public to their own private advantage, and are become the instruments of a ministerial despotic power.

Instead of redressing grievances, they have justified them; and when they ought to have punished, they have applauded and screened the offenders.

The life, the liberty, the property of the subject, have been the prey of the present administration, and the guardians of the constitution have looked on these horrid scenes with indifference.

One only hope, Gentlemen, remains to us in this forlorn and distracted state. It is the goodness of our most Gracious Sovereign, who, like all the former princes of the Brunswick line, is a lover and patron of liberty. Let public meetings of the electors be called in every part of the kingdom. Let humble addresses be prepared, and let your grievances

ances be carried in a dutiful and submissive manner to the foot of the throne, and to the beloved King and Father of us all. He will graciously hear and redress our grievances and oppressions. The bill of rights declares, "That it is the right of the subject to petition the King."—I am persuaded that you will not petition in vain. He will not be deaf to the cries of his people. The constitution has given our Sovereign the power of dissolving parliaments, and of removing every officer of state. Supplicate his Majesty to change the present malignant ministry, who have abused the power delegated to them, and to dissolve a parliament, whose repeated breaches of trust have rendered them contemptible and odious to the whole nation.

The few, who have preserved their integrity, will rejoice at this fresh appeal to their constituents: you will have an opportunity of bearing your

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testimony to their public virtue by re-electing them. The majority, after being rejected with contempt, will, with their seats, immediately lose the power of doing further mischief. This country can only be saved by the extinction of the present profligate and prostitute House of Commons, by a new and fresh choice of our representatives. A general election is the only effectual remedy, and I hope it will be immediate. If you succeed in your humble supplications to the throne, justice will soon be done to your violated rights and liberties, the hands of government will be strengthened, and peace will return to a disunited and divided nation. If your grievances are not redressed, you must, like free-born Englishmen, seek the remedy in your own conduct and courage. Your ancestors were always famous and foremost in the cause of freedom. Magna Charta was purchased with their best blood, and after repeat-
ed

ed violations by tyrant kings, became established as the inheritance of Englishmen. Even under the present dreadful gloom I will not despond, for the sacred rights of this country cannot be destroyed, while their descendants continue, like you, ready to devote their lives to the preservation of public liberty.

I have the honour to be,
With affection and regard,
Gentlemen,

Your faithful and obedient

Humble servant,

John Freeman.

Bristol,

May 1, 1769.

*To the GRAND JURIES of
ENGLAND.*

THE trust and power, Gentlemen, which the constitution of your country hath given you, is second only in weight and importance to the legislature itself. The life of every subject is in your hands, and the preservation of the public peace, of our common liberty, and of our excellent form of government, are peculiarly your duty. You are selected from the body of each county for that important service. I address you at this time, because you have now the first public meeting since the last session of parliament. The concluding act of that session in the House of Commons, nearly interests every one of you, as Englishmen, and as freeholders. Our right of representations,

tations, which is the only share allotted us in the legislature of our country, has been violated, and that in the most deliberate manner, with respect to the county of Middlesex. I will state the fact from the votes. Mr. Wilkes was on the 13th of last April, returned a Knight of the Shire for that county. The numbers on the poll are admitted to be for Mr. Wilkes 1143, for Mr. Luttrell 296. Mr. Wilkes was not disqualified by any law of the land. Is it possible after this to believe that in the same page of the votes, *Mr. Luttrell is declared duly elected a Knight of the Shire to serve in this present parliament for the county of Middlesex?* Yet this is the fact: a fact big with injustice, of the most atrocious nature, not less oppressive to your brother freeholders of Middlesex, than alarming to yourselves. What security can you have that a minister will not make a like attack on your several counties, if
if

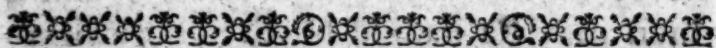
If this invasion of the rights of the freeholders of Middlesex be not opposed with vigour? It is now in vain that the freeholders of a county meet together, agreeably to the great charter of their freedom, that they exercise the noblest right and best franchises, the whole is become an useless, troublesome, and expensive ceremony, rendered entirely abortive by the arts of a ministry. They cannot make a member of parliament. A majority of legal votes, does not, now, give a seat in the legislature. Our ancestors, indeed, had the man of their free choice, to speak their sense in parliament; but no such privilege is now left us. The form only of a free constitution remains. The spirit, the vigour, the rights of it are left. The people no longer possess their just share in the balance of power established by law in this kingdom.

Gentlemen, this is a common cause in which every county, city, and borough,

rough, is equally interested. The franchises of all are equally at stake. A representative may be imposed who was never elected by the majority, and a man may be named by the administration, and sit in parliament, and support measures no less repugnant to the known and fixed opinions of his pretended constituents, than to their clear and permanent interests.

This is the actual grievance of the freeholders of Middlesex, and may soon be the general lot of their counties, unless the spirit of the nation relieve them, and save all the rest. If nothing be now done, and the county of Middlesex be tamely suffered thus to be robbed of its noblest franchise, you will from this neglect provoke a like attack on your own. The precedent will be made use of against yourselves, till at length you will be driven to defend your own rights; which would not have been invaded

vaded if you had given the necessary and timely assistance to your brethren, instead of remaining idle and unconcerned spectators of their oppression.



EXPLANATION of an Elegant COPPER PLATE PRINT now Engraving and intended to be given with the last Number, gratis.

ON the right, are Furies coming in with torches chains, hand cuffs, &c. &c. signifying the attempt which have been made to destroy the freedom of our excellent constitution. But the figures are represented more particularly as endeavouring to seize and burn the Bill of Rights and Magna Charta. Liberty, however, standing on the side of Mr. Wilkes, keeps them back with her wand, and points to her Champion, as her protector and son. Britannia, his other supporter, is in tears lamenting the situation of her friend, and the assault of the Furies. In the distance, is a view of the King's-Bench prison, with the soldiers under arms, as on that memorable tenth of May; with a representation of the three Scotch soldiers in pursuit of young Mr. Allen.



See p. 178

MR. WILKES'S PRIVATE
CORRESPONDENCE.

The following letter was wrote
by Mr. Wilkes to his daughter
the day after his commitment
to the Tower, and sent it to
the Earl of Halifax to be for-
warded to Paris.

TO MISS WILKES.

My dearest Polly,

I Have now full leisure to pay my com-
pliments to you, and entirely to re-
lieve you from the anxiety your kind affec-
tion for me will necessarily give you at the
bearing of my commitment to this place.
Be assured that I have done nothing un-

No. 32

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worthy

worthy of a man of honour, who has the happiness of being your father. You shall never in life blush for me.

I am only accused of writing the last North Britain, yet my sword has been taken from me, all my papers have been stolen by ruffians, and I have been forcibly brought here, I have not yet seen my accusers, nor have I heard who they are. My friends are refused admittance unto me. Lord Temple and my brother could not be allowed to see me yesterday. As an Englishman, I must lament that my liberty is thus wickedly taken away; yet I am not unhappy, for my honour is clear, my health good, my spirit unshaken, I believe indeed, invincible. The most pleasing thoughts I have are of you, the most agreeable news I can hear, will be the continuance of your health.

I beg you not to write a word of public business, or of my public situation.—Can you get me made membre du parlement
de

de Paris? For that of Westminster is
losing all its privileges. - -

- - - - - Continue to
love me, and believe me with the greatest
warmth of affection,

Your obliged Father,

JOHN WILKES.

Tower, May 1,
1763.

TO JOHN WILKES, Esq.

YOU find me for once somewhat in the case of a fair young virgin, hardly able to withstand your solicitations, they are so warm and engaging, and yet afraid to comply with them, though pleasure must be the certain consequence. But the fair ones I believe you have always found at last consenting; and they are most admirable precedents, so I follow their example. It is true, I ought to be ashamed of not complying without reluctance; (in that point indeed the young ladies and I a little differ) but you know the unhappy cause—some time next week then, I shall endeavour to wait on you next week, then I shall endeavour to wait on you at Aylesbury.

I scarce know a man in the world, whom I would go farther to see, or to whom

I

I would sooner dedicate my time, and myself. You need not, for my temptation, in the account you give me of the wonderful verdure of the rich vale of Aylesbury, and the fragrance of your bean-fields in full blossom, have described Arabia Felix, for I could readily have waited on you in the very desarts.

Dr. * * * is the only one whom I know among the faculty, that composes tragedy. His brethren content themselves with barely furnishing subjects for it, widows and orphans.

I am, dear Sir,

Your faithful and obliged

Bath,

Humble servant,

May 20.

Tho. Brewster.

To JOHN WILKES, Esq.

Dear Sir,

THERE is nothing I long for so much, as to be reading a chapter with you, at Aylesbury, in the old black letter. However hurtful you may find it to the eyes, I am persuaded your learned and pious expositions, will render it highly edifying and comfortable to the heart. I will therefore (God willing) fulfil yet my promise, and wait on you before this summer ends. That I do not set out immediately, I do assure you is not my fault, but merely my misfortune. Two or three anamolous patients unluckily detain me here at present; and when they will be pleased to release me, upon my word is more than I can tell, or even conjecture. It is a strange thing

thing that people who have the whole year before them, to be sick in, can find no other part of it, for that purpose, but just the particular time when I should be enjoying the happiness of your company.

Whatever may be the weather at Aylesbury, I have no doubt of meeting with gaiety and pleasure, when I meet with Mr. Wilkes.

And am in the mean time,

His obliged friend,

And obedient servant,

Tho. Brewster.

To JOHN WILKES, Esq.

Dear Sir,

THOUGH I am sitting down but now, to acknowledge the favour of your letter, I must nevertheless own I received it in due time; even on Christmas-day in the morning. The contents I hoped would have informed me, that you were soon following: but upon perusal, how grievous was the disappointment! Almost enough to sadden the most joyous of all seasons.

The Royal Society by taking the steps you mention, may hapily once again favour us with a little common sense; which among all the strange things they have for some time published, will itself, I should believe, be esteemed the strangest. But the more
they

they reform, the less perhaps, they will entertain, which I wish not may not be likewise the case of our reforming friend, However, If Mr. * * * be in earnest so desperately resolved on matrimony, I heartily wish him all the happiness it can afford; and hope you are ready with his epithalamium. This indeed is a season, whose coldness admonishes us all of good warm wives. It makes me do sometimes, among the rest: but a line or two of Horace, and on the other hand, a little discourages,

Quæ bellua ruptis,
Cum semel effugit, reddit se prava
catenis?

The French of our times, I find greatly surpass the Greeks of Juvenal's. Natio comoeda est, even down to their very dogs: who indeed, by your account of those at the Haymarket, seem to be a most extraordinary race of pup-

VOL. 2. No. 33. K k pies

Methinks it is pity but they should be well principled; and for that good end have governors and preceptors out of hand appointed them. You have the saving of souls so very much at heart, I wonder you do not recommend them, either to Promoters of Christian knowledge, or to the Propagators of the Gospel in foreign parts: who surely would not do amiss to consider that the greatest of all charities should begin at home.

To the wit and pleasure of this place, I am quite a stranger. For that I must beg therefore leave to refer you to the pen of Mr. * * *, our gallant, gay Lothario.

I am, ever yours,

Bath,

Tho. Brewster.

Jan. 6, 1755.

To John Wilkes, Esq.

YOUR letter found me under the apple-trees of Herefordshire where I have now been above these three months, in such a solitude as I am only fit for. The truth is, I am in a ruinous sort of a condition, nothing, as it were, to my fall: and my tremors, at all times bad enough under the observation of company, are still worse. For these reasons, though the pleasures of Aylesbury have left a very strong impression, yet dare I not accept your kind invitation to repeat them; but wishing you all happiness in all places.

I am, dear sir,

Your most obliged, and
Affectionate friend,
Tho. Brewster.

To

To John Wilkes, Esq.

My dear Wilkes,

IT is impossible for me to express the infinite obligation you have conferred upon me, by your unsolicited and generous behaviour of yesterday. Give me leave only to assure you, that I am, and ever shall be, in the truest sense,

Your most sincere and

Affectionate friend,

Robert Loyd.

Vine-street,
May 31. 1763

To John Wilkes, Esq.

Dear sir,

I Have hunted you several times, but unfortunately to no purpose. This morning indeed I thought myself sure of you at nine o'clock. But I found you had been gone out about an hour. As I returned, I overtook Dr Markham going to his morning task in Westminster school.—What an example does the man of pleasure set the man of business! I wish you would let me know whether you intend being at the Shakespear meeting to-night. For as Churchill is out of town, unless I am assured of your being there, I shall be a home-keeper. You talked of going to the Westminster play—if you are not engaged; their next exhibition is on Friday. But what a conjurer I am

to

(264)

to tell you that which the inclosed tickets will inform you of much more learnedly!

I shall hope for the pleasure of conducting you there.

And am dear sir,

Your very sincere friend,

And humble servant,

Tuesday morning.

R. Lloyd.

TO JOHN WILKES, Esq.

My dear Wilkes,

YOUR letters have given me inexpressible uneasiness concerning my friend Charles; and your not giving a direction, leaves me in still greater anxiety that this may not reach you. and I consequently bear nothing how he does. Indeed we are all much alarmed; for though the seeming spirits of your letter to me gave us hopes it might not be so bad with him, that which Jack has received, entirely quashes them. Pray let me hear from you the earliest opportunity, and direct to at the Fleet Coffy-house. I hope I shall not be doubly unfortunate in the loss of my friends, and be reduced to the comfortless necessity of brooding over my own calamities in this ungrateful situation. Dear Wilkes, give me all the information you
can,

can, and what services I can do, a duty
I owe to you both, command. I am, in
the sincerest affliction,

Yours ever,

R. Lloyd.

TO JOHN WILKES, Esq.

I Will spare your own feelings and
mine by any reflections on our ir-
reparable loss. You did not, I imagine,
receive my letter directed for you at an
uncertainty, at the post-house, or if you
did, you returned no answer, I suppose,
because you could give no comfort. I
am pleased to find from Mr. Cotes, who
communicated your letter to him this
day to me, that you will be kind to the
remains of our dear friend. What is in
my power to execute, you will direct
and

and command. And I could much wish, you would as early as you can bring your mind to write on such a subject: give me your opinion (which shall be decisive) as to the publication of the fragment of the verse preface to the sermons and that other of the journey.

The volume I have hastened, and the times, farewell, and independence, are only wanted to complete it—Would it be improper that as a friend I should say a word or two before this second volume, which for the sake of the family we apprehend should be delayed for a further opportunity of enlarging the subscription? Do, if it is only for the sake of my consolation, who indeed must truly want it, write to me, and as the memory of Charles was dear to you, do not forget him, who is most unfortunate in the loss of the living, and the dead friend.

My own affairs I forbear to mention. Thornton is what you believed him.

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H a s t e n t o y o u r n a i l i n g

Y 11

have many acquaintance, but now no friend here.

I am, with sincerity of
Friendship and affection,
Your's ever,

R. Lloyd.

Fleet,

Tuesday, Nov, 20.

To John Wilkes, Esq.

My dear Wilkes,

I Am infinitely obliged to you for the concern you express for my health, but what account to give you of it, I cannot well tell. I am better as to acuteness of pain.

After having accused me on account of my indolence, dost thou not tremble at the sight of a whole sheet? Have you laid in stock of patience, or sufficiently prepared yourself for the Christian duty of mortification? I shall try

the strength of your virtues, and the sincerity of your conversion to the doctrines of patience and forbearance.

The affair of Lord Talbot still lives in conversation. and you are spoken of by all with the highest respect. Lord Weymouth gives you the greatest encomiums. Your friends at the beef-stake enquired after you last saturday with the greatest zeal, and it gave me no small pleasure that I was the person of whom the enquiry was made. Colonel * * * desires his compliments in the warmest terms, and declares he must be known to you with the first occasion. Nothing ever gave me so high an opinion of myself, as not being envious of you.

Think not that the Scottish eclogue totally stands still, or that I can ever be unmindful of any thing which I think will give Wilkes pleasure, and which I am certain will do me honour in his name prefixed. The present
state

state of it however stands thus—it is split in two poems—the Scottish eclogue, which will be inscribed to you in the pastoral way—and another poem—which I think will be a strong one—immediately addressed by way of epistle to you—this way they will both be of a piece; otherwise it would have been.

*Delphinum silvis appingit, fluctibus
aprum.*

The pastoral begins thus—and I believe will be out soon—but nothing comes out till I begin to be pleased with it myself,

When Cupid first instructs, &c. &c.

The other runs thus,

From solemn thoughts, &c. &c.

Can

Can Wilkes? I know thou canst re-
treat a while,

Learn pity's lesson, and disdain to smile.

Oft have I heard thee, &c, &c.

Hirco—the moral Hirco—stains the
bed

Of that kind master, who first gave him
bread,

Scatters the seeds of discord thro' the
land,

Breaks ev'ry public, every private band,

Behold with joy a trusty friend un-
done,

Betays a brother and would cheat a son.

If Hirco suffers we are all content,

But should blind rage involve the in-
nocent?

The faults of one shall we to all im-
pute?

Shall vicious Hirco injure virtuous
Bute?

Thus

Thus much for rhyme. I have
made the N. B. entirely out of your
letters. There is a very decent Irish-
ism, unless for cautious of avoiding
you read careful to avoid,

I am,

With the utmost sincerity,

Your's ever,

C. Churchill.

To John Wilkes, Esq.

My dear Wilkes,

I Could not write sooner. Would it
it not have been more for your
comfort not to have wrote at all?

News there is none, or, as Dr.
Markham under Lord Stormonts name
most Christ-Churchically expresses it,
no notices come here.

I am full of work, and flatter myself
my spirits are pretty good—I live so-
berly, enjoy health, and cold, I believe,
answer a bill on sight to any woman,
but my wife. Next winter is certainly
ordained for the rising and falling of
many in Israel. The Lord forbid I
should be idle in so great a work, *aut*
tanto cessarim cardine rerum. Several
poems I shall have out soon, but not I
hope, so soon as to cut them off from
the

*This day is published, from the LIBERTY
PRESS, price One Halfpenny, to be
continued every Wednesday and Satur-
day, No. 7 of*

**THE
English Senator,**

OR,

**WILKES'S
PARLIAMENTARY SPY,**

ADDRESSED

**To the LITTLE Folk who abhor the
transactions of the GREAT.**

the advantage of your criticism. Mr Pope ought surely to feel some instinctive terrors, for against him I have double pointed all my little thunderbolts, in which as to the design, I hope I shall have your approbation, when you consider his heart, and as to the execution, if you approve it, I can sit down easily, and hear with contempt the censures of all the half blooded prudish lords.

For something relative to Pope take the following lines, intended as an answer to those, who because I have slightly mentioned a few qualities of a goodly nature of one of my friends, would have enlarge on his bad, and think me inexcusable for not mentioning them.

*Not spare the man I love, not dare to
feel*

The partial glowings of a friendly zeal,!
Vol. 2. No. 35. Mm Nature

*Nature forgives, nay justifies the deed,
By friendship's first and noblest law de-
creed.*

*Shall I not do then, what in days of yore
Most bitter satyrists have done before?
They saw the follies, but they lov'd the
men:*

*Ev'n Pope could feel for friendship now
and then.*

I take it for granted you have seen Ho-
garth's print against me. Was ever any
thing so contemptible? I think he is
fairly *felo de se*—I think to let him off
in that manner, although I might safely
leave him to your notes. He has broke
into my pale of life, and set that exam-
ple of i liberality, which I wished—of
that kind of attack which is ungenerous
in the first instance, but justice in the
return—I intend an elegy on him, sup-
posing him dead, but * * * * tells me
with a kiss he will be really dead be-
fore it comes out, that I have already
killed

killed him, &c. How sweet is flattery from the woman we love, and how weak is our boasted strength when opposed to beauty and good sense with good nature ! Those who value themselves on the dignity of man may scorn such a supposition, but I would rather bear that slavery (and it is the only slavery I would tamely bear) than enjoy the empire of mankind.

How is my little muse ? How is miss Wilkes ?

I have not, and I am afraid shall not, be able to steal to Aylesbury. Some inducement I find wanting to draw me even to the pleasures of that place. Can Wilkes at Paris guess what it is ? As little shall I be able to see Mr. Dixon, for the letter to whom I shall thank you, intending for my own ease to bring all your acts of civility and friendship to one account, which I hope is yet at a great distance. I have begun the fourth book of the Ghost, and by the beginning

ning of next month hope to hear of its being received, where I most wish it should be approved.

Is Paris pleasant? Have the lively Gauls superior attraction to the English? The only thing I envy France it you. For my own sake I could wish it was without pleasure; for your's I could wish every pleasure doubled. Col. * * desires to be remembered to you, with many others, and when I reflect on the enquiries made after you by the most sensible of this sinking nation, I cannot help feeling a vain satisfaction, that I am the person of whom they enquire. Lloyd talks of writing, and Fitzherbert, who is perfectly recovered, of coming in at the heel of the letter, mean time desiring his best respects. The post-chaise waits, and Charlotte cries, Away!—I beg you will not let me have an opportunity of writing again.

again. I am on fire for politics, nor
do I perceive one jot of the discouragement
come from the thought of the
Kings-Bench, and the pale Mansfield
Come over, nor by staying there add
one more triumph of peace to France.
Your friends long to see you, and none
more than

Your's,

Most affectionately,

C. Churchill.

Aug. 3.

1763.

I have resolved,

Resolve not quick, but once resolv'd
be strong,

to

to write an Epic Poem in four books. The purport you may guess by the name Colloden.

I enclose you a copy of a paper, which will soon be sent you by the printers, &c. in gratitude for your late labours. I hope you are recruiting to begin more attacks against the tyranny of our ministry, which encreases every day.

“ We, the underwritten, who were
 “ contrary to law imprisoned by the
 “ King’s messengers, desire thus publicly to return thanks to John Wilkes,
 “ Esq; for his spirited endeavours,
 “ and steady attention, to procure us
 “ that redress and satisfaction, which
 “ we have at length obtained by the
 “ verdicts of our countrymen.

Witness our hands this, &c.

To

TO JOHN WILKES, Esq.

My dear Wilkes,

I AM greatly oblig'd by your's of this morning, and the moment I have occasion, there is no person in the world to whom I could so soon apply as yourself, and from whom I should so willingly receive favours. I shall without scruple shew you what dependance I have on your friendship. The plan of next N. B. I have changed, and for this reason, on pursuing it I find it the best subject for a poem I ever had in my life. The prophecy of Famine you may remember took its rise from a similar circumstance, and if I may venture to be prophetic in prose, this will be a much better poem.

I admire exceedingly your Motto for the last number of the Auditor. It will make Murphy mad. My head is full of
Hogarth,

Hogarth, add as I like not his company I believe I shall get him on paper, not much for the sake of justice, as for my own ease—a motive ever powerful with indolent minds. I have begun already, and seem to like the subject. I have been so long out of verse, that it appears like a new world. and has acquired fresh charms from disuse.

Mr. Legge enquired affectionately after you. He is in good spirits and bears up nobly.

I am ever your's,

C. Churchill.

Should I have put my name to the truth? Is it not a libel.

TO JOHN WILKES, Esq.

My dear Wilkes,

MY not writing to you sooner, and my not giving you earlier notice of my inability to write the N. B. for this week, arises from my flattering myself that I should have been recovered from my indisposition, but I still keep my bed: when I shall get out of it, I do not guess. Many things have I to say to you, but my head rambles too much for recollection. I am quite exhausted, for I have not been able to sleep for the last week. Would I had a Mason here!

Lloyd tells me that you have wrote an answer to the supposed *Letter from the Pretender to the Earl of Bute in the North Briton of February the 19th.* He says you must have most happily imi-

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N n

tated

tated all the *quaintnesses* of Bute's stile,
and inserted several curious anecdotes
from him to his dear cousin. Pray
send it to me. You are again happy in
your motto to it. Pray finish the paper
against the tories, which you shewed
me. I mean that which has the motto,

Per varios casus, per tot discrimina
rerum
Tendimus in Latinum.

I fear the damned Aristocracy is gaining
ground in this country.

I am,

With the utmost sincerity,

Your's ever,

C. Churchill.

To John Wilkes, Esq

My dear Wilkes,

I Wish it was in my power to send you the next Saturday's N. B. according to your desires, but though I expected that you would depend on me, I have not as yet wrote a letter of it, according to my usual maxim of putting every thing off till the last. You may be certain however of its being done in time. I have the cause too much at heart to let it out of my head.

I have just received the following epigram, built on the supposition of my being the N. B.

*While the Briton, true Scotsmen, more
cunning than wise,
Would cajole us good people with party and
lies,*

The

*The North Briton steps forth like a
 Briton of old,
 And tells us those truths, which we ought
 to be told.*

*Oh Patriot Divine, how I honour thy
 merit!*

*Thou hast twice rais'd a Ghost, may'st thou
 now raise a Spirit.*

I am very sorry I cannot meet you at Aylesbury, or come to you at Winchester, but that which I at first considered as the amusement of a trifling hour is become the serious attention and delight of my days. It has already been so of three weeks, and is likely to continue as much longer. This *universum tridum*. When we meet, which I flatter myself will be soon, you will be amazed to see how I am altered. Breakfast at nine—two dishes of tea, and one thin slice of bread and butter—dine at three—eat moderately—drink so per pint—tumble the bed till four
 —tea

tea at six—walk till nine—eat some cooling fruit and to-bed. There is regularity for you!!!

Last Saturday I heard the trial of the conspirators relative to Miss Fanny, and was much entertained. They proposed to bring the girl into court, but my Lord looking in that way which is called looking we dont know how, and applying his hand to that part of the body, where fools they say are better provided than men of sense, significantly declared that he would advise them not to bring her in, for, quoth my Lord, I find I shall certainly be at her.

I read the two last papers with much pleasure, and hear them well spoken of. There is one circumstance in your letter, which hurts me. You say nothing when you shall be in town. I hope soon. Neither do you mention Miss Wilkes, whom I must not forget.

The paper of the third will never be forgotten, and you will never be forgiven

Given, as it is universally ascribed to you. It has opened the eyes of many. "Hated by knaves, and knaves to hate". may not be your motto, but will undoubtedly be your fate through life.

I desire you to take great care of your health, and still more of your life. I cannot bear to think that a life, which I value almost equally with my own, should be sacrificed to false principles of honour, though ever ready to be devoted on a true and noble plan. You seem sometimes rather to live in romance, than under the direction of that well-tempered, cool, distinguishing reason, in which no man is generally more happy than you.

The passage you quote from Homer ought never one moment to be out of your mind,

I am, with sincerity of

Friendship and affection,

Your's ever,

July 13, 1762.

C. Churchill.

To John Wilkes, Esq.

YOU are certainly the best tempered fellow in the world ; so ready to forgive the idleness of a friend, and yet never giving him an opportunity of paying you in kind. I am now in the same sentence to thank you for several letters, and likewise for the acquaintance of Goy, which I deem one of the greatest obligations you have conferred upon me. I have a thousand things to say relative to fools and w^omen, Englishmen in France, and Scotsmen in England, but your own affairs in their own nature so much more pressing, and as to time so very critical, that I shall postpone every other consideration, and give them that preference in my letter they have in my mind.

Shall you come over in November?
A very pithy manner of asking a question,

tion, on the decision of which your whole welfare turns, which you submit to others, when you should ask it of yourself, concerning which your friends may mean well, but you only from your feelings can judge rightly. But take my thoughts thus :

If you stay in France, you will undoubtedly be outlawed : (the consequences of the outlawry are however nothing to a man not foolishly mad after this land of folly.) You will not be able to go on now against Lord Hallifax, the cause cannot soon be tried. Yet, if I might advise, stay in France. There is scarcely a consideration that could make me think your return to England in November defensible in the eye of common sense.

Have I made out clearly what I mean? which you have too near a concern for me to be cool and disinterested, and my heart is too much affected to give my head fair play, As there is no man who
is

is more ready to ask advice, so I am sure there is none more able to give it you than yourself—I mean your cool and rational self—Consult that and you cannot do wrong.

Lend us Miss Wilkes—I long to see her—and I am sure you will not refuse her, when I tell you that every true Englishman will be happy in seeing her, and consider her (which I hope it will prove) as a forerunner of him, to whom every true Englishman is most essentially indebted.

Friendship, great as mine, can scarcely forget your attention to the care of your health. Reflect that your country demands your life. The cause of liberty is in your hands, and that blessing, so much dearer than life, must remain precarious, if not fixed by you. No one can try the Secretary of State, if you do not, and though there is no doubt but there may be arbitrary ministers in future times, yet 'tis with me

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a matter of question, whether there may be another Wilkes.

There is a new print just published of you very like. I have wrote under it the four following lines from Pope, who is happy in them.

*A soul supreme, in each hard instance
tryed,
Above all pain, all passion, and all pride,
The rage of power, the blast of public
breath,
The lust of lucre, and the dread of death.*

I am, ever your's,

Oct. 11. 1794.

C. Churchill.

TO JOHN WILKES, Esq.

My dear Wilkes,

I AM again your petitioner in behalf of that great chum of literature Samuel Johnson. His black servant, whose name is Francis Barber, has been pressed on board the Stag Frigate, Captain Angel, and our lexicographer is in great distress. He says the boy is a sickly lad of a delicate frame, and particular by subject to a malady in his throat, which renders him very unfit for his majesty's service. You know what matter of animosity the said Johnson has against you, and I dare say you desire no other opportunity of resenting it than that of laying him under an obligation. He was humble enough to desire my assistance on this occasion, though

though he and I were never cater-cousins; and I gave him to understand that I would make application to my friend Mr. Wilkes, who perhaps by his interest with Dr. Hay, and Mr. Elliot might be able to procure the discharge of his lacquey. It would be superfluous to say more on the subject, which I leave to your own consideration, but I cannot let slip this opportunity of declaring that I am with the most inviolable esteem and attachment,
I am, dear sir,

Your faithful and obliged

Humble servant,

T. Smollet:

Chelsea,

March 16, 1759.

To JOHN WILKES, Esq.

My dear Wilkes,

ECCĒ iterum Crispinus— your generosity with respect to Johnson shall be the theme of our applause and thanksgiving. I shall be very proud to find myself comprehended in your league offensive and defensive, nay, I consider my self already as a contracting party, and have recourse to the assistance of my allies. It is not, I believe unknown to you that Admiral Knowles has taken exception at a paragraph in the critical review of last May, and commenced a prosecution against the printer. Now whatever termination the trial may have, we shall infallibly be exposed to a considerable expence: and therefore I wish to see the prosecution quashed. Some gentlemen who are my friends, have undertaken to find out

out and talk to those who are supposed to have influence with the said Admiral: may I beg the same favour of you and your friends? The trial will come on in the beginning of May, and if the affair cannot be compromised, we intend to kick up a dust and die hard. In a word, if that foolish Admiral has any regard to his own character, he will be quiet rather than provokethe resentment of,

I am,

With the utmost sincerity,

Your's ever,

Chelsea,
March 24, 1759.

T. Smollet.

To John Wilkes, Esq.

Dear Sir,

MY warmest regard, affection and attachment you have long ago secured. My secrecy you may depend upon—when I presume to differ from you in any point of opinion, I shall always do it with diffidence and difference. I have been ill this three months: but hope soon to be in a condition to pay my respects to Mr. Wilkes in person. Mean while I must beg leave to trouble him with another packet, which he will be so good as to consecrate at his leisure. That he may continue to enjoy his happy flow of spirits; and proceed through life with a flowing fall

of prosperity and reputation, is the wish, and hope, and the confident expectation, of

His much obliged,

Humble servant,

T. Smollet.

Chelsea,

March 28, 1762.

To John Wilkes, Esq

My dear Wilkes,

AS I cannot be sure of seeing you in a day or two, I cannot help writing a line to correct a mistake which Buller tells me you are under, and which, if true, would give me great concern. He informs me that you lamented my having given some
fort

fort of countenance to the terms of the new loan, which surprises me greatly in a matter where my attention and my practice was just the contrary, and I must have expressed my thoughts strangely to be so misunderstood, if you were present at the time I spoke.

I think I can recollect almost the words I used both days, and will repeat them to you. When Sir Francis brought in both the taxes, and the loan, (and that was before the exorbitant premium upon the tickets had taken effect) I said that as to one of the taxes, (the wine) I was certain it would bring in nothing, that is, cause no encrease upon the general revenue on wine, but on the contrary diminish it, and gave my reason. As to the bargain, I thought it a bad one; for that the treasury themselves in the disposition they had made of the navy bills and ordinance debentures, supposed the redeemable four per cents to be at par, that the premium there-

fore upon this bargain would be whatever the rage for play (when the gamers would think they were come for the last time to the table and with a great deal of money in their pockets) should induce them to give for lottery tickets. This might go, especially upon two lotteries, to two, three, or more pounds per ticket, (though indeed I did not foresee it would go higher) and then they would give four, or five, or may be six per cent. premium for raising a four per cent at par, which was enormous. Upon the second day I desired what I had said upon the former day might be recollected, and in answer to the excuse, Sir Francis made from the time at which the bargain was made, I said it was very possible that while so material an alteration between the *preliminaries and definitive treaty*, as the *East India Article*, was depending, it might make the signing of the definitive treaty very doubtful, and

and consequently affect the stocks. But to what purpose was the head of the board of Treasury of the cabinet council, and admitted to the knowledge of all foreign affairs, but to form his domestic conduct upon that knowledge, and therefore why was so improper a season pitched upon to make the loan, and at the same time to declare his wonder at the folly of mankind to give four or five pounds for leave to toss up for ten. In answer to this I replied, that if the Treasury knew of the definitive treaty being signed, they were inexcusable not to have brought their loan to an open subscription, which was the only sure way to take a test of the temper and folly of the market, and might at such a time and for so small a use have been done with safety.—And you know Oswald then gave reasons to excuse their not having resorted to open subscriptions.

subscriptions. This is pretty near the manner in which the whole past. I write in a hurry, but should be very sorry this transaction lay wrong in your honour's mind, especially as you might not be present at the whole both days. I hope you do not go abroad early in next week, and will endeavour to get Dr Hay and Dr Butler to meet you here at dinner on Wednesday next, if you stay so long.

I am dear Wilkes,

Faithfully your's

H. B. LEGG.

Saturday morning,

March 26, 1763.

T.

To the PRINTER of Mr WILKES's
TRACTS.

Sir,

THE present times have produced a wonderful variety of state letters, which have for a time amused, and fixed the attention of the public. Lord Holland gave us a very curious one addressed to the members, about his taking the conduct of the House of Commons. Lord Chatham favoured us with another in excuse of his wife's title, and his own pension, and I suppose we shall have a second about his own title and place. But the present hero with the public is Lord Barrington, and I have seen no letter of so much importance in itself, so pregnant with future mischief, as that said to be his lordship's. The two first letters have been only laughed at, but the last has been

X See if in Tracts
of Wilkes

been much wept over. The alarm it has given is indeed general, but I hope, by means of the press, to be the happy instrument of quieting the minds of men, who are now in greater apprehensions for the fate of the civil liberty of this country than I ever remember.

The paper, Sir, is a letter signed B——, and dated —Office, May 11, 1768, and relates to the horrid massacre in St George's Fields on the day before, for which the officers and soldiers are thanked by the secretary at war in the King's name, as it is generally supposed, but, I believe, very unjustly.

I find that three different opinions about this paper prevail among my friends. The first, but the most probable, is, that the signature B—— means Lord Barrington, and that —Office, May 18, 1768, means the war Office. The second, rather more probable, is, that B—— means Lord Bute,

Bute, and —Office, is his Lordship's private office, from whence it is known. that every order of importance, even every hint of what is to be done, has for several years issued. But the third opinion, to which I adhere, is, that the letter is an absolute forgery, invented by some Scottish Jacobite, to create future murders among us, as well as to throw an eternal odium, and indelible infamy on the present administration, which he well knew nothing could so thoroughly effect.

The first opinion, that such a letter could come from Lord Barrington is absolutely impossible. Let us but one moment take into consideration his Lordship's political character, and we shall see that he never could be the author of such an outrage on the civil power of his native country in compliance to the military. He is no military man. Prowess never made any part of his character. He is confessed-
ly

ly *sola libidine fortis*. He knows no campaigns, but in the field of love, and during the winter in the House of Commons, where no minister ever found a mutiny and desertion bill necessary with respect to him, any more than the other troops not in regimentals, who are in the pay of the treasury. Pliability alone has distinguished him, I know no where so slight and flimsy a man; such a mere panado Lord. He was only remarkable in the late reign for being a kind of make-weight among the ministers. There is scarcely a department of the state he has not filled for a few hours, or a few days, sometimes, till the great could agree, for a few weeks. If there was any little dirty job in the old king's time to be carried with respect to Hanover, it was left to his management, but he never was employed in things of real importance. He therefore never could be thought of for the boldest measure
which

which ever minister ventured upon, the thanking officers and soldiers for an act, which different counties, and more than one jury, had found to be wilful murder, and the desiring them to go on with the same alacrity. In such a service, it is not sufficient that a man has no principle; he must be a bold, daring, wicked man, of sterner stuff than Lord Barrington, and of better parts, to varnish over the black deeds he has perpetrated himself, or commanded or applauded in others. In the present case there is only a heart to approve, there is no tongue to justify, such an atrocious villainy.

I have another strong reason on this head. Lord Barrington is an Englishman. Would an Englishman have thanked Scottish officers and soldiers for having in so inhuman away spilt the blood of his innocent countrymen? For it is clear, that every person killed was at the time harmless and inoffen-

five, and had been so the whole day. One was on a hay cart, another selling oranges, a third walking in the road, &c. The letter says, that the writer has a pleasure in informing them, that his majesty highly approves—what? this rank and foul murder? I am sure, Sir, that assertion cannot be true, and could I believe that Lord Barrington talked of such a thing being his pleasure, I should hold his lordship in horror, as the blackest soul that ever animated a human body. It would make every other man shudder, and who ever can approve such a fell and horrid deed, as the late bloody massacre, I desire he may do me the honour to disapprove every single action of my life, and grace me with the sanction of his displeasure.

As Secretary at War, it must be supposed that the noble Lord is exactly informed of all the transactions of that memorable Tuesday, with respect to
the

the military. How then could his Lordship set his hand to a known falsehood in thanking the officers and soldiers for preserving the public peace, which was only broke by themselves? Till the arrival of this Scottish detachment, every thing was quiet both in and about the prison: afterwards they raised a disturbance by the rough manner of treating the people, by their abuse, their menaces, and the actually pushing at and wounding them with their bayonets. There was not the shadow of a pretence for the military's being called in at first, and as little for their insolent and cruel behaviour when they came. They in fact caused a tumult near the prison, and then fired repeatedly on every body indiscriminately, as well there as at a considerable distance from it, on people in the neighbouring fields, and on the passengers in two high roads. There has not been such a massacre of the English by Scotsmen

Scotsmdn since Preston-pans and Falkirk. That Tuesday wore a more military appearance in St. George's-fields, than any day since the Revolution. Mr Wilkes told his friends, that he thought he lay in camp that and the two following nights, such was the noise and clashing of arms, such the neighing and trampling of the cavalry. The marches and counter-marches of the troops, their divisions and subdivisions, the foot advancing, attacking, and afterwards pursuing, as in the case of poor young Allen, killing those they might have taken prisoners, the horse at full speed, galloping backwards and forwards, and firing, made the Tuesday seem a day of battle, and the people the enemies, not the unarmed dutiful subjects of a gracious King at full peace with them. Such a day has not been in England since the accession of the mild house of Brunswick. May our annals never tell of such another!

Good

Good God! Sir, can Lord Barrington call this doing their duty with alacrity, and declares that the King approves such unprovoked cruelty? It can never be. I will never believe it. The letter cannot be wrote by any man, who has the common feelings of inhumanity, much less by a nobleman of education, brought up not under the Tories, but under the true friends of liberty, who is of some sort of character and abilities, and though not too full of the milk of human kindness, not a barbarian, nor a savage blood-thirsty minister of the absolute decrees of a sanguinary Muley Ismael.

But it is possible that the signature B——, and—Office may be his private office, from whence, without the King's knowledge, so many orders of the last importance have issued, as much the fabric of his Lordship and his private junto, as their peace of Paris,

ris, although neither the name of Stuart nor Bute appeared even to that, but others were ordered to sign. We cannot see in a more glaring light, the difference between a beloved King and a detested Favourite than we now do at home. The King loves the English, and is beloved by them. Bute hates, and is hated by the whole body of this nation. In the year 1763, he would not venture to dine with the Lord Mayor in our capital, till he had secured a set of bruisers as his body guard, under the conduct of one Richardson, and contracted with him to insure his life for the day. How narrowly has he twice escaped here the fury of an injured people? And may he ever escape it, to be reserved for the just punishment of his public crimes, after so fair a trial and so full a conviction, that scarcely a Scot or a courtier may remain, who will have so little sense of shame as even to whisper that he is
guiltless!

guiltless ! From his whole conduct we may be sure the late massacre is grateful to him, though not to his master, who wishes to see him live and prosper, whereas the interest of the real minister, the Scot, is that we may be destroyed, or at least broke down to his yoke, that his creatures may seize and riot in the spoils, and therefore the letter desires the troops to go on, as they have done, with alacrity, that is, to be his murdering minister, to kill the English, like flocks of sparrows, in absolute wantonness, without pity or remorse.

I am, however, Sir, rather inclined to think that the letter in question is forgery. It states in express terms an absolute impossibility, *that his Majesty highly approves of the conduct of both the officers and men, and means that his royal approbation should be communicated to them.* In the conclusion it is said, *that every possible regard shall be shown to them ;*

them; their zeal and good behaviour upon this occasion deserve it; and in case any disagreeable circumstance should happen, in the execution of their duty, they shall have every defence and protection that the law can authorize, and this office can give. It cannot be, Sir, that the first magistrate should be a Prince of the House of Brunswick. There cannot be imagined so great an inconsistency. Then, to allude to such a crime as murder, and to call it only a disagreeable circumstance, to promise every possible regard, every defence, every protection, which words must be intended to hold out the idea and hope of a pardon, and to beg the troops to be eager to commit future murders on the same condition, and such full security, by desiring them to continue as then have done, to perform their duty with alacrity; all these particulars harrow up my soul, and would leave me a prey to madness and despair, if I were not satisfied

fied the whole were a forgery, a mere invention of some malignant spirit, who seeks our destruction. The King, I am persuaded, is grossly abused in this affair, and his sacred name unwarrantably made use of to purposes he neither knows, nor can approve. His royal heart, I am sure, bleeds for the late cruel and unjust suffering of his dear people, whom he loves and cherishes, and I expect that we shall soon see a proclamation for the apprehending of Alexander Murray, Esq. who has absconded since the verdict of the coroner's inquest, in the same manner as there was in the late reign for his name-sake and uncle, although that was only for refusing to kneel before the House of Commons, not for wilful murder. The King is our common father, and we know him to be an indulgent and merciful parent to us all. We are therefore sure that he grieves still more than we do at the unmerited

VOL. II. No. 40. R r distress

distress and irreparable loss of some worthy families. Besides, the painful feelings which the tenderness of his nature cannot fail to give on so affecting an occasion, he has the additional concern as our Sovereign, as the great guardian of the lives of the people committed to his care, that he lost several good and faithful subjects, who might have been as useful to the state as to their own families, now, alas! for ever deprived of all hope and comfort—But, Sir, my mind is too deeply affected to dwell longer on such horrid scenes of cruelty and carnage—I am forced to conclude, but I can not forbear crying out in the words of Shakespear,

I think our country sinks beneath the yoke.

It weeps; it bleeds; and each new day a gash

Is added to her wounds.

*Evidently by
J. J. J.*

1728

APPENDIX;

CONTAINING A

N U M B E R

OF

CURIOUS PAPERS,

R E S P E C T I N G

Mr. WILKES:

A Few of which, are not to be
found in any other Publication.

APPENDIX

NUMBER

CURIOUS PAPERS

MR. WILKES

A few of which are not to
be found in any other publication.

APPENDIX.

A PETITION of John Wilkes, Esq. was presented to the House, and read; setting forth, that, in April 1763, the Petitioner, then a member of the House, was by a general warrant apprehended, and carried the two principal Secretaries of State; that he applied by his friends to the Court of Common Pleas for a Habeas Corpus, which was ordered to issue immediately; of this he acquainted the said Secretaries at his examination by them, who, notwithstanding, committed the petitioner a close prisoner to the Tower, although charged only with a misdemeanor; that for three days, no person was suffered to have access to him; that his house was plundered, his bureaux broke open, and his papers carried away, under the said

said general warrant; that, after his discharge from the Tower by the unanimous judgement of the court of Common Pleas, he was served with a Subpoena from the court of King's-bench, upon an information; that counter notices, signed summoning officer, were sent to several of the jury, only the day before the trials came on the day fixed; that the records were materially altered at Lord Mansfield's house, by his Lordship's orders, against the consent of the petitioner's Solicitor, only the evening before the trials, without the knowledge of the petitioner, he being detained abroad by illness; that the papers seized under the said general warrant were produced as evidence on his trials; that Philip Carteret Webb, Esquire, then Solicitor to the Treasury, suborned and bribed, with the public money, one Michael Curry, to give evidence against the petitioner at the trials, according to the directions of the said Mr. Webb;
that

that the petitioner was in March last elected Knight of the Shire for the county of Middlesex; in April appeared before the court of King's-bench, when the said court committed him to the King's-bench prison; that in June he was sentenced to a further imprisonment of twenty-two months in the said prison, where the petitioner now is; and that the petitioner submits the whole of his case to the wisdom and justice of the House, in the full persuation of having an affectual and speedy redress of all his grievances.

IN THE
KING'S BENCH.

M I D D L E S E X.

THE KING AGAINST JOHN
WILKES, ESQ.

FRancis Barlow, of the Crown-office,
in the Temple, and William
Hughes, of the same place, severally
make oath; and first the deponent
Barlow for himself saith, that on the
18th day of February last, he received
directions from Mr. Wallace or Mr.
Web, to apply to a judge to get the in-
formation against the defendant amend-
ed.

and, by striking out the word Purport, and inserting in its stead the word Tenor; that he this deponent did accordingly apply to the Right Honourable Lord Mansfield, and obtained a summons to shew cause why it should not be amended; a copy whereof is hereto annexed: and this deponent, immediately after he had obtained the same, sent two copies thereof, viz. one to the other deponent, Hughes, and Phillips, solicitors for the said defendant; and this deponent was informed, and does believe, that such copies were left that night at their respective houses; and this deponent Barlow further says, that in consequence thereof, he this deponent, on Monday the 20th day of the same month of February in the morning, attended Lord Mansfield at his house, and there met the other deponents, Hughes and Phillips; and this deponent remembers, that Lord Mansfield said he did not ask them their

No. 41. I am in consent,

consent, but wanted to know what their objections were, and asked them if it was not usual or the common practice to amend informations, or to that or the like effect, and that Lord Mansfield mentioned or read from a book or manuscript, which his Lordship made an order to amend the information in this cause, a copy of which order is hereunao annexed; and this deponent, Hughes, for himself saith, that he remembers to have been served with a copy of such summons, and that he attended Lord Mansfield when such order was made as above set forth; and accordingly, to the best of his remembrance and belief, what is above deposed by the other deponent, Barlow, is true.

Sworn by the deponent, Francis Barlow, the 22d of January, 1765. at my Chamber in Serjeant's-inn.

Francis Barlow.

William Hughes.

Befo re me E. Wilmot. Sworn

Sworn by the deponent, William Hughes, in the King's-bench Treasury-chamber, Westminster-hall, the 23d day of January, 1765.

E. Wilmot.

ET the defendant's clerk in court
 sent me at my house in Bloomsbury
 square on Monday, the 20th day of
 February instant, at eight o'clock in
 the morning, to show cause why the
 information in this cause should not be
 granted by the court the word
 "return in the several places where it
 is mentioned in the said information
 except in the said place and relating
 in instant thereof the word "new"

MIDDLESEX

1765

MIDDLESEX.

*The King against John Wilkes, Esq. On
an information, of publishing a Libel,
intituled the North Briton.*

LET the defendant's clerk in court,
agent, attorney, or solicitor, at-
tend me at my house in Bloomsbury
Square, on Monday, the 20th day of
February instant, at eight o'clock in
the morning, to shew cause why the
information in this cause should not be
amhdnded by striking out the word
Purport in the several places where it
is mentioned in the said information
(except in the first place) and inserting
it instead thereof, the word *Tenor*.

Dated this 18th day of February,
1764.

Mansfield

MIDDLESX.

MIDDLESEX.

*The King against John Wilkes, Esq. On
an information for publishing a Libel,
intituled the North Briton.*

UPon hearing the clerks in court
on both sides, I do order that
the information in this cause be a-
mended, by striking out the word
Purport in the several places where it
is mentioned in the said information
(except in the first place) and by insert-
ing instead thereof, the word *Tenor*.

Dated this 20th day of February,
1764.

Mansfield

The

The same alteration was made in the cause respecting the *Essay on Woman*. This alteration seems trifling in appearance, but is in reality of the utmost importance. It totally changed the nature of the defence. If the word *Purport* had remained, upon which Mr. Wilkes's council were prepared to argue, scarcely any two men could have been found, who would have agreed in a verdict finding him guilty to the *Purport*, or effect charged in the information; but by the alteration to the word *Tenor*, the *Purport* was not in question; and the defence was changed into a critical comparison of the words, letters, and figures in the papers published with those in the information filed, for which no time was allowed. The causes were tried the very next morning, so that Mr. Wilkes's council were deprived of making the defence, which they had neither time to consider, nor reason to apprehend. Mr. Wilkes
at

at that time in another kingdom very dangerously ill.

This refers to the introduction written by Mr. Wilkes, to Lord Weymouth's letter, and inserted in the St. James's Chronicle, for which see in the following number. His lordship considered the affront as offered to himself, and declared in the House of Lords, that he was the person aimed at in the introduction, though his name was omitted at the bottom of the letter. Accordingly the printer of the St. James's Chronicle was sent for to the House; but happening that evening to be at the play, he could not attend till the next morning. When he appeared, the chancellor told him, that if he expected any lenity from that honourable House, he must directly acquaint their Lordships who was the author of that introduction. M. Baldwin was not wanting in respect to so honourable an assembly; for as if he had privately

got previous notice what their lordships wanted, he took care to bring along with him the necessary information. Nay, he did more. He not only produced the copy of the letter and introduction in question; but he likewise begged their Lordships acceptance of a packet, containing copies of several essays, with which Mr. Wilkes had formerly favoured him, and thus shewed his gratitude to a gentleman, by whose correspondence and that of his friends, Mr Baldwin's paper was first brought into any degree of credit. But to proceed; their lordships resolved, that the introduction was an insolent, scandalous, and seditious libel, tending to inflame and stir up the minds of his Majesty's subjects to sedition, and to a total subversion of all good order and legal government. This resolution was immediately followed by a similar one from the House of Commons,

mons, and was made a pretence for the expulsion of Mr. Wilkes from that house on the second day of February last. The Freeholders of Middlesex surely ought to thank Mr. Baldwin for his steady attachment to the interest of his benefactor, and for the noble and undaunted stand he made in support of the liberty of the press.

VOL. II. No. 42. T t o r o t a b o T o

TO THE
P R I N T E R
OF THE
ST. JAMES'S CHRONICLE.

Sir,

I Send you the following authentic State Paper, the date of which, prior more than three weeks to the fatal 10th of May' shews how long the horrid Massacre in St. George's Fields, had been planned, and determined upon, before it was put into execution, and how long a hellish project can be brooded over by some infernal spirits without one moments remorse.

INTRODUCTION

INTRODUCTION.

AS the expulsion and incapacitating of Mr. Wilkes, has altogether been the ground and chief article of all the Petitions and Remonstrances that have been presented to his Majesty; the following Letter, upon the reception of the City Remonstrance, will not we hope be esteemed impertinent, in a work of this kind, as it fully illustrates the rights of the Subject to PETITION and to REDRESS.

TO

TO THE
PRINTER.

19. March 1770.
SIR,

I BELIEVE there is no man, however indifferent about the interests of this country, who will not readily confess that the situation, to which we are now reduced, whether it has arisen from the violence of faction, or from an arbitrary system of government, justifies the most melancholy apprehensions, and calls for the exertion of whatever wisdom or vigour is left among us. The K—'s answer to the Remonstrance of the City of London, and the measures since adopted by the Ministry, amount to a plain declaration that the principle, on which Mr. Luttrell was seated in the House of Commons,

+ See *Sumner's Letters*

Commons, is to be supported in all its consequences, and carried to its utmost extent. The same spirit, which violated the freedom of election, now invades the declaration and Bill of Rights and threatens to punish the subjects for exercising a privilege, hitherto undisputed, of petitioning the Crown. The grievances of the people are aggravated by insults; their complaints not merely disregarded, but checked by authority; and every one of those acts, against which they remonstrate, confirmed by the K—g's decisive approbation. At such a moment, no honest man will remain silent or inactive. However distinguished by rank or property, in the rights of freedom we are all equal. As we are Englishmen, the least considerable man among us has an interest, equal to the proudest nobleman, in the laws and constitution of his country, and is equally called upon to make a generous contribution in support of them;

them ;—whether it be the heart to conceive, the understanding to direct, or the hand to execute. It is a common cause, in which we are all interested, in which we should all be engaged. The man who deserts it at this alarming crisis, is an enemy to his country, and, what I think of infinitely less value, a traitor to his S—n. The subject, who is truly loyal to the chief Magistrate, will never advise nor submit to arbitrary measures. The City of London have given an example, which, I doubt not, will be followed by the whole kingdom. The noble spirit of the metropolis is the life-blood of the state, collected at the heart : from the point it circulates, with health and vigour, through every artery of the constitution. The time is come, when the body of the English people must assert their own cause. Conscious of their strength, and animated by a sense of their duty, they will not surrender
their

their birth-rights to Ministers, Parliaments, or Kings.

The city of London have expressed their sentiments with freedom and firmness; they have spoken truth boldly; and, in whatever light their Remonstrance may be presented by courtiers, I defy the most subtle lawyer in this country to point out a single instance, in which they have exceeded the truth. Even that assertion, which we are told is most offensive to Parliament, in the theory of the English constitution is strictly true. If any part of the representative body be not chosen by the people, that part vitiates and corrupts the whole. If there be a defect in the representation of the people, that power, which alone is equal to the making of laws in this country, is not compleat, and the acts of parliament under that circumstance are not the acts of a pure and entire legislature. I speak of the theory of the
practice

Just published, price 6d.
Addressed to the Freeholders of Great Britain.

THE
P R O C E E D I N G S
OF THE
Freeholders of Middlesex;
With the animated
S P E E C H E S
OF
Mr. SAWBRIDGE, Mr. ADAIR,
AND THE
Rev. Mr. H O N E,
AT THE
Meeting of the Freeholders at the *Mile-End*,
Assembly-Room, *March 30, 1770*:
To consider of
AN ADDRESS, PETITION, and REMONSTRANCE,
to his MAJESTY for REDRESS OF GRIEVANCES

*Freedom ALONE to life can relish give,
And ceasing to be FREE we cease to live.*

ANONYMOUS.

L O N D O N :

Printed and Sold at No. 14, WATER-LANE, BLACK-
FRIARS; For J. ROSON, at No. 54, St. MARTIN'S
LE GRAND; W. CLARKE, PORTUGAL STREET,
LINCOLN'S-INN; and L. TOMLINSON, in WHITE-
CHAPPEL; and the Booksellers at the ROYAL
EXCHANGE.

practice, I am ready to maintain that, as far as the fact deviates from the principle, so far the practice is vicious and corrupt. I have not heard a question raised upon any other part of the Remonstrance. That principle, on which the Middlesex election was determined, is more pernicious in its effects than either levying the ship-money by Charles the First, or the suspending power assumed by his son, will hardly be disputed by any man who understands or wishes well to the English constitution. Is it not an act of open violence done by the King, or any direct and palpable breach of the laws attempted by his Minister, that can ever endanger the liberties of this country. Against such a King or Minister the people would immediately take the alarm, and all parties unite to oppose him. The laws may be grossly violated in particular instances, without any direct attack upon the whole system. Facts

VOL. II. No. 43: Ua of

of that kind stand alone; they are attributed to necessity, not defended upon principle. We can never be really in danger, untill the forms of parliament are made use of to destroy the substance of our civil and political liberties;—until parliament itself betrays its trust, by contributing to establish new principles of government, and employing the very weapons, committed to it by the collective body, to stab the constitution.

As for the terms of the Remonstrance, I presume it will not be affirmed, by any person less polished than a Gentleman Usher, that this is a season for compliments. Our gracious ——— indeed is abundantly civil to himself. Instead of an answer to a petition, his — very gracefully pronounces his own panegyric; and I confess that, as far as his personal behaviour or the royal purity of his intentions is concerned, the truth of those declarations, which the minister

minister has drawn up for his master, cannot decently be disputed. In every other respect, I affirm that they are absolutely unsupported, either in argument or fact. I must add too, that supposing the speech were otherwise unexceptionable, it is not a direct answer to the petition of the city. His — is pleased to say, that he is always ready to receive the requests of his subjects; yet the Sheriffs were twice sent back with an excuse, and it was certainly debated in council whether or no the magistrates of the city of London should be admitted to an audience. Whether the Remonstrance be or be not injurious to Parliament, is the very question between the Parliament and the people, and such a question, as cannot be decided by the assertion of a third party, however respectable. That the petitioning for a dissolution of Parliament is irreconcilable with the principles of the constitution is a new doctrine.

doctrine. His M—y, perhaps, has not been informed that the House of Commons themselves have, by a former resolution, admitted it to be the right of the subject. His ——— proceeds to assure us, that he has made the laws the rule of his conduct. Was it in ordering or permitting his ministers to apprehend Mr. Wilkes by a general Warrant? Was it in suffering his ministers to revive the obsolete maxim of *nullum tempus* to rob the Duke of Portland of his property, and thereby give a decisive turn to a county election? Was it in erecting a chamber consultation of surgeons with authority to examine into and supercede the legal verdict of a jury? Or did his ——— consult the laws of his country, when he permitted his secretary of state to declare, that, whenever the civil Magistrate is trifled with, a military force must be sent for, without the delay of a moment, and effectually employed. Or was it in the barbarous exactness with which this illegal, inhuman doctrine was carried

carried into execution? If his ——— had recollected these facts, I think he never would have said, at least with any reference to the measures of his government, that he had made the ——— the rule of his conduct. The talk of placating the affections or relying on the support of his subjects, while he continues to act upon those principles, is indeed paying a compliment to their loyalty, which I hope they have too much spirit and understanding to deserve.

His ———. we are told, is not only punctual in the performance of his own duty, but careful not to assume any of those powers which the constitution has placed in other hands. Admitting this last assertion to be strictly true, it is no way to the purpose. The city of London have not desired the ——— to assume a power placed in other hands. If they had, I should hope to see the person, who dared to present such a petition, immediately impeached. They solicit their ———

to exert that constitutional authority, which the laws have vested in him for the benefit of his subjects. They call upon him to make use of his lawful prerogative in a case, which our laws evidently supposed might happen, since they have provided for it by trusting the Sovereign with a discretionary power to dissolve the parliament. This request will, I am confident, be supported by Remonstrances from all parts of the kingdom. His —— will find, at last, that this is the sense of his people, and that it is not his interest to support either Ministry or Parliament, at the hazard of a breach with the collective body of his subjects——That he is the King of a free people is indeed his greatest glory. That he may long remain as the King of a free people, is the second wish that animates my heart. The first is, That the People may be free.

JUNIUS.

The address, Remonstrance and
Petition of the Lord-Mayor,
Aldermen, Common-council,
and Livery of the City of
London, in Common-hall as-
sembled,

To the KING's most Excellent
Majesty.

May it please your Majesty.

WE have already in our petition
dutifully represented to your
Majesty the chief injuries we have sus-
tained. We are unwilling to believe
that your Majesty can slight the desires
of your people, or be regardless of their
affection, and deaf to their complaints;
yet their complaints remain unanswer-
ed; their injuries are confirmed; and
the

only judge whom the revolution has left removeable at the pleasure of the crown, has been dismissed from his high office for defending in parliament the law and constitution. We therefore venture once more to address ourselves to your Majesty, as to the father of your people, as to him who must be both able and willing to redress our grievance : And we repeat our application with the greater propriety ; because we see the instruments of our wrongs, who have carried into execution the measures of which we complain, more particularly distinguished by your Majesty's royal bounty and favour.

Under the same secret and malignant influence, which, through each successive administration, has defeated every good, and suggested every bad intention, the majority of the house of commons have deprived your people of their dearest rights.

They

They have done a deed, more ruinous in its consequences than the levying of ship-money by Charles the First, or the despenfing power assumed by James the Second. A deed which must vitiate all the future proceeding of this Parliament; for the acts of the legislature itself can no more be valid without a legal house of commons, than without a legal prince upon the throne

Representatives of the people are essential to the making of laws; and there is a time when it is morally demonstrable that men cease to be representatives that time is now arrived, the present house of commons do not represent the people We owe to your majesty an obedience under the restrictions of the laws, for the calling and duration of parliaments and your majesty owes to us that our representation, free from the force of arms or corruption, should be reserved to us in theem

It was for this we successfully struggled under James the Second; for this we seated and have faithfully supported your majesty's family on the throne.

The people have been invariably uniform in their object; though the different mode of attack has called for a different defence.

Under James the Second they complained, that the sitting of parliament was interrupted, because it was not corruptly subservient enough to his designs. We complain now, that the sitting of this parliament is not interrupted, because it is corruptly too subservient to the designs of your majesty's ministers. Had the parliament, under James the Second, been as submissive, to his commands, as it is at this day to the dictates of a minister instead of clamours for its meeting, the nation, could have rung, as now with outcries for its dissolution. The forms of the constitution

constitution like those of religion, were not established for the forms sake; but for substance And we call God and man to witness that as we do not owe our liberty to those nice and subtle distinctions which places and pensions, lucrative employments have invented so neither will be cheated of it by them but as it was gained by the stern virtue of our ancestors, by the virtue of their descendants it shall be preserved

Since therefore the misdeeds of your majesty's ministers in violating the freedom of election and depraving the noble constitution of parliaments are notorious, as well as subvertive of the fundamental laws and liberties of this realm and since your majesty, both in honour and justice is obliged inviolably to preserve them according to the oath made to God and your subjects at your coronation; We your remonstrants assure ourselves that your majesty will restore
the

the constitutional government and
 quiet of your people by dissolving this
 parliament and removing these evil
 ministers for ever from your councils,



To the KING'S Most EXCELLENT MAJESTY.

The humble ADDRESS, REMONSTRANCE
and PETITION, of the
FREEHOLDERS of MIDDLESEX.

WE, your Majesty's most dutiful and loyal subjects, the Freeholders of the county of Middlesex, imprest with the deepest concern for the distracted and miserable state, to which we find ourselves, and all our fellow subjects, reduced by the misconduct of your Majesty's minister supported and carried into effect by many of those who ought to consider themselves as the representatives of the people beg leave most earnestly to recite those complaints and supplications, which we have already humbly, tho' ineffectually, presented to your Majesty.

Actuated we are by the warmest and firmest attachment to your Majesty's person and illustrious family, (an attachment second only to that which we feel to the constitution, which your family was chosen to protect) we cannot see, without equal indignation and discontent, those fruits, which were so justly expected from your Majesty's virtues and auspicious government, blasted and destroyed by a secret and malignant

nant influence, which has thwarted and defeated almost every measure that has been attempted for the good of your subjects, and has given birth to others, totally subversive of the Liberties and Constitution of these once flourishing and happy kingdoms.

It is not for any light or common grievances, that we presumethus repeatedly to interrupt your Majesty's quiet with our complaints.

It is not the illegal oppression of an individual; it is not the partial invasion of our property; it is not violation of any single law, of which we now complain, but it is a violation, which at one stroke deprives us of the only constitutional security for our Fortunes, Liberties, and Lives.

Your Majesty's servants have attacked our Liberties in the most vital part; they have torn away the very heart-strings of the constitution; and have made those men the instruments of our destruction, whom the laws have appointed as the immediate guardians of our Rights and Liberties.

The House of Commons by their determination on the last Election for this county, have assumed a power to over rule at pleasure the fundamental Right of Election which the constitution has placed in other hands, those of their constituents, and from whence alone their whole authority is derived; a power, by which the law of the land is at once overturned

turned, and resolved into the will and pleasure of a majority of one House of Parliament. And if this pretended power is exercised to the full extent of the principle, that House can no longer be a Representative of the people, but a separate body, altogether independent of them, self existing and self elected.

These proceedings have totally destroyed the confidence of your Majesty's subjects in one essential branch of the legislative power; and if that branch, is chosen in a manner not agreeable to the law and constitution of the kingdom, the authority of Parliament itself must suffer extremely, if not totally perish.

In this dreadful extremity it is to your Majesty alone we can apply for relief; as in your hands that prerogative is vested, which alone can afford a remedy adequate to the disease; and we trust that from you, as the father of your people, we shall at length obtain that remedy; tho' the same pernicious counsels, which gave birth to all our grievances, have hitherto prevented their redress, and have still farther aggravated our injuries, by dismissing from your service the first officer of the law, and the only judge removeable at pleasure, for endeavouring to support the Liberties and constitution of his country.

We

We are encouraged in our hopes by your Majesty's gracious declaration, that you are always ready to listen to the complaints of your people.

This declaration we consider as the genuine dictate of your own principles and inclination; and we are therefore persuaded, that your own gracious disposition will never lead you to consider a dutiful representation of the misconduct of your ministers as disrespectful to you; a charge expressly confined to the abuse of the Constitution for the House of Commons, as injurious to Parliament at large; or a request to you to exert a prerogative vested in you by the Constitution for the good of your people, as irreconcilable to the principles of the Constitution.

Upon these motives, and principles we think it our duty again to have recourse to our undoubted legal and constitutional right of offering our complaints and petitions to the Throne, more especially as that right itself has been indirectly attacked, under pretence of censuring a supposed abuse of it; an attack of a most alarming nature, and which furnishes the strongest additional ground of apprehension and complaint: for by this means a most dangerous attempt has been made to cut off the communication between your Majesty and your people, leaving your Majesty to be deceived by and false and partial Representation

Representation of wicked Ministers, and your people to be reduced to despair of any constitutional redress on this or any future occasion.

Deign then, most gracious Sovereign, to listen to the earnest and repeated supplications of an injured people, by dissolving the present, and calling another Parliament, and by removing for ever from your Majesty's presence these evil counsellors, who have been the authors of so many intolerable grievance to all parts of your Majesty's dominions.

By this means you will restore concord and harmony to this distracted kingdom; you will re-establish the confidence of the people in their Representatives and Governors; you will preserve and secure to us the enjoyment of our Rights and Liberties and draw down upon yourself and your Posterity, the Blessing of grateful Millions.

ON Tuesdoy April 17th, 1770 ; The sufferings of that inflexible Patriot John Wilkes, Esq; terminated ; and he was released from a painful and long imprisonment of two years, to the expecting and wishing multitude : He left the King's bench-prison about five in the Afternoon, accompanied by Miss Wilkes his daughter, and set off in a post-chaise and four for the seat of Mr Reynolds his Attorney at Bromley in Kent : And on the Wednesday following, dined at Hayes with the Earl of Chatham, who entertained him, with the Earl Temple, Lord Camden, Mr. Calcraft, Mr. Trevanion, and Mr. Reynolds ; and on the Sunday following returned to town ; when on the Tuesdoy a Court of Aldermee was called, and he was sworn in as Alderman

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Alderman for the Ward of Farringdon Without, and has since acted in that capacity at the Old Bailey, to the universal satisfaction of the Public; whose esteem we do not doubt he will preserve, by a perseverance in defending their rights.

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F I N I S.

